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HISTORICAL, LITERARY, AND POLITICAL.

BY

JOSEPH B. COBB.

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TO THE  
HON. WILLIAM L. SHARKEY.  
OF MISSISSIPPI,

Eminent alike as a jurist, a statesman, and the friend of general literature, I dedicate this book, as an humble evidence of the high value I set upon his friendship, and of my appreciation of those qualities of character which have drawn to him such universal attachment and respect.

J. B. C.

LONGWOOD, *August*, 1857.

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## THOMAS JEFFERSON.\*

THIS is quite an old book, but, under the circumstances of the day, not too old to be examined, or rather re-examined, and brought, along with its distinguished subject, to the test of a critical review. For reasons which may appear during this examination, we begin by expressing our sincere regret that such a work, in view of all its contents, was ever given to the world; and we are as little able to appreciate the motive as we are to admire the taste which prompted the editor to compile and publish such a series:—A series of private papers, containing indeed many things extremely interesting and valuable as political history, but suggesting much that is painful in the same connection, and subjecting his venerable relative to a criticism that might have slumbered but for this unwary challenge. We have long been of the opinion, that sons or immediate relatives of deceased statesmen, whose lives have been commingled with the fierce political storms of the republic, should be the very last persons who undertake the task of giving to the world the life, character, and correspondence of their fathers.

\* *Memoir, Correspondence, and Miscellanies, from the papers of Thomas Jefferson.* Edited by THOMAS JEFFERSON RANDOLPH. Boston and New York. 1849.

It is, under any circumstances, and by whomsoever it may be undertaken, a task of great delicacy, requiring the clearest faculties of discrimination, the nicest sense of prudence, and the most guarded vigilance. It is rare that sons, or relatives, can lay themselves under such restraint when their subject is viewed only in the light which affection dictates; one to whose faults filial tenderness and respect have kindly blinded them, and whose virtues shine to their vision with a lustre which the golden eye of the world receives undazzled. Deformities appear where least expected, and are evolved from passages and scenes which seemed to a partial judgment only as so much that was bright and honorable; and while charity may lift its soft mantle to shield the *motive* from harsh impeachment, it cannot disarm criticism of its legitimate province, nor be suffered to detract from the truth of history. When the angler casts his hook into the stream it is not for him to select what he brings up. He must be content to abide the issue. And while we are fully willing to allow to the poet or the painter, all the indulgences which the "*Ars Poetica*" claims for them on the score of *craft*, we cannot consent to apply a like rule to biographers and historians, nor even to those who make their appearance before the world under the less pretending, but not less responsible character of *editors* of private papers and correspondence. These last may, indeed, be shielded from much that the two first do not hope to escape; but they are fairly and fully liable in the way of taste, judgment, and that method of argument which looks to attain by inferences from ingenious collation and compilation, the same end that might be less easily accomplished by a different and more direct course.

We shall not deviate from the immediate objects of



this review to find fault with our editor's preface. It does not encroach on modesty, and infringes naught of that propriety which should govern the form of a publication emanating from a source so intimately allied with its distinguished subject. Indeed, he could not have said less, or said better, if he said any thing at all; and if Mr. Randolph could have squared his selection and compilation by as perfect a rule of taste, our pen might never have been employed in its present task.

The life, character, and public career of Thomas Jefferson are identified with much that is glorious and interesting in the early history of these United States, and the struggle for independence that resulted in their severance from the parent country. The first germs of that mighty intellect which afterwards impressed itself on every department of the government, and diffused its influences so widely through every class of our people, were called into life in the dawn of that troubled era. Its blossoms expanded and opened with the progress of the Revolution, and ere yet the old Continental Congress met beneath the sycamores of Independence Square, its fruits had ripened in the fullest and most luxurious maturity. The events amidst which he had been forced into manhood were too hurried and interesting, the opening scenes of the drama too exciting and startling, and their promise too enticing, not to draw out in full strength and majesty the richest treasures of one of the master minds of the period, and develope in the inception those peculiar and vast powers, which, but for their occurrence, might have lurked under ground for long years subsequently, and in all probability, might *never* have reached the same enviable climax. Nor did he enter on the scene grudgingly, or by insensible degrees. His heart was fired from the beginning, and his first advance into the very

body of the *melée*. He staked all, and became at once, and among the earliest, one of the *responsible* personages of the struggle. The memoir or autobiography with which the volumes before us open, affords a very sufficient clew to explain this precocious ardor. When the great debate in the Virginia House of Burgesses against the Stamp Act took place, Jefferson, as he tells us himself, was yet a student of law at Williamsburgh. Among the members who participated was Patrick Henry. His genius had then just burst from obscurity, and an eloquence scarcely akin to earth had dazzled all Virginia—an eloquence which lives, as it must ever live, in tradition alone. The circumstances were most thrilling—the occasion one of intense anxiety. The annunciation of the Stamp Act had thrown a feeling of despondency and gloom over the entire republic. Hearts which had never faltered, spirits which had never quailed, minds which had never shrunk before, seemed now on the point of giving way. Even the presses, which heretofore had sounded nothing short of direct rebellion, were manifestly confounded, and their tone changed suddenly from resistance to consolatory appeals and submission. It was evident that the dreaded crisis was at hand. “It was just at this moment of despondency in some quarters, of suspense in others, and surly and reluctant submission wherever submission appeared, that Patrick Henry stood forth to rouse the drooping spirit of the people, and to unite all hearts and hands in the cause of his country.” He projected and moved the celebrated resolutions in opposition to the Stamp Act, and resolved to support their adoption with the full and concentrated force of that supreme oratory, which swept, tempest-like, from one quarter of the confederacy to the other,—thrilling, trumpet-toned, and resistless—

and nerved even weakness to lift an opposing voice. Jefferson was a listener from the lobby. His young and ardent mind drank in eagerly the inspiring draughts, and his bosom throbbed with emotions of unknown, inexplicable ecstasy. The display, so splendid, so unnaturally original, and so overpowering in its effects and influences, took his imagination captive, and enchained his senses with dream-like delight. The elements of sympathy were too strong to resist the effort, and his judgment followed his imagination. "He appeared to me," says the memoir, "*to speak as Homer wrote.*" This thought gave birth to the after man. All the entrancing pictures, and vivid scenes, and splendid imagery of the Iliad were here brought, by a magic stroke, in full embodiment and bewildering reality. America oppressed—struggling—imploring—was a theme more alluring than "the weightier matter of the law;" and fancy, returned from the flaming walls and crimsoned rivers of Troy, found in the sufferings of Boston the living semblance of imagined woes, and fastened there with a tenacity that soon enlisted the strongest sympathies of his towering mind. The impression thus made was never forgotten, but strengthened with daily reflection; and we are at no loss to account for that restless ardor and untiring energy which characterized Jefferson through every and all phases of the great strife that followed.

Four years subsequent to this period, Jefferson had become a member of the General Assembly. The insulting and arrogant address of the British Lords and Commons on the proceedings in Massachusetts was the first matter which engaged attention at the opening of the session. Jefferson took a prominent and undisguised part in getting up counter resolutions, and an address to the King from the House of Burgesses. A

dissolution by the Governor followed, but the patriots met by concert in a hall of the Raleigh tavern, called the Apollo, and there drew up articles of association against any further commercial intercourse with Great Britain. Copies were signed and distributed among the people, and the people sanctioned the proceedings, failing to re-elect those only who had given reluctant assent to the course of the majority. Lord Botecourt was excitable, a thorough Briton in feeling and prepossession, and, as might naturally have been supposed, violently opposed to the pretensions of the American colonies. Angry contests followed. In the interval he was succeeded by Lord Dunmore. Dunmore, already incensed, was still more impracticable and unapproachable, and vastly more obstinate and imperious than even Botecourt. As it happened, an interregnum of comparative quiet followed. The Governor, flippant and vain-glorious, grew inordinately sanguine. But, in the meanwhile, a new storm was darkening the horizon. In the spring of 1773 a grievance of a character far more aggravating than any which had yet been considered, became a topic of discussion in the Assembly. This was the institution by Great Britain of a Court of Inquiry, with power to transfer to England, persons committed for offences in the American colonies. Opposition to this at once became universal and alarming. It was even regarded with more abhorrence than the stamp act or the duty on tea. It caused the most conservative and moderate to despair of reconciliation with the mother country. Voices which hitherto had been silent, now raised the cry of resistance—resistance to the extremity. Fuel was added to the flame of revolution. Rebellion seemed inevitable. Men were convinced that it was the only remedy. Then, for the first time, the star of Independence, like



the first light of hope, appeared on the verge of the horizon. Its genial ray, though ephemeral and meteoric for the time, was welcomed as the beacon of safety. Lukewarm members of the Assembly, whose courage and whose zeal diminished as difficulties increased, were promptly thrust aside, and such spirits as Henry, the two Lees, Carr, and Thomas Jefferson, were placed in the van. The crisis was soon reached. It was proposed and carried at a private meeting in the Apollo, that committees of correspondence and safety be established between the colonies. The resolutions to this effect were drawn up and prepared by Jefferson. They were proposed, at his suggestion, by Dabney Carr, his brother-in-law. Of this committee, Peyton Randolph was appointed chairman. Measures were forthwith taken to communicate their action to the different colonies. Messengers were despatched, and it is said that those from Massachusetts and Virginia, each bearing similar propositions and tidings, crossed on their way. This presents a fair question for historical research. We shall pause long enough only to give one or two facts, and our own inference from those facts.

There cannot, we think, be any fair or rational doubt as to the real source from which such proposition originally emanated. Universal suffrage will assign its proper authorship to the distinguished subject of the volumes now before us. But that a plan similar to it in purpose, had been previously proposed by Samuel Adams in Massachusetts, is a settled fact. As we incline to think, after a careful and minute examination of the leading authorities, the Virginia plan of committee correspondence was intended to embrace all the colonies, the Massachusetts plan only the cities and towns of that particular province. A strong proof of



this is found in the simple fact that no such plan as that suggested by Jefferson was ever submitted to the Virginia Assembly as coming from Massachusetts. On the contrary, such plan did reach, and was laid before the Legislature of the latter colony as a suggestion from the Virginia Assembly. The plan of interior or local correspondence belongs to Massachusetts. The plan of colonial inter-communication originated in Virginia. The first of these, we incline to think, was the most prudent and practical method, but the latter looked more to the grand ulterior result, viz.: united resistance to the aggressions of Britain.

These proceedings happened early in the spring of 1773. In the meanwhile, events and their consequences were rapidly combining to stir the waking spirit of rebellion, and clearly foreshadowed the grand issue. The interdict of Boston harbor, or as it is commonly called, the Port Bill, passed the British Parliament early in the year succeeding. The news reached the colonies in the spring, and thrilled with electric violence from Cape Cod to the Savannah. So far from increasing the confusion and dismay which had followed on the passage of the Stamp Act, or allaying the patriotic tumult, this intelligence served only to nerve the bolder spirits and to re-assure the weak. It roused the *people* from their temporary lethargy, and incited them to prepare for extreme measures. The Virginia Assembly moved promptly and unshrinkingly up to the mark, and passed a resolution setting apart and recommending the first day of June, on which day the Port Bill was to be carried into effect, for a day of fasting and prayer, imploring Heaven to avert the horrors of *civil war*. The design was obvious, and the language employed terribly significant. The Governor promptly dissolved them; but the spirit which animated the majority of

those who had passed the resolution, was not so to be subdued. Jefferson, although no orator and never essaying to speak, had now become the master workman in that distinguished assembly. The *work* of the House was entrusted mainly to his discretion and guidance, although the junior of many whose names had already become distinguished. But his whole heart and mind, the entire energies of his own nature, were given to the task he had undertaken. Nothing was allowed to distract or seduce him from the pursuit of the grand object which possessed him. The attractions of, a polished society, the temptations of joyous social intercourse, the allurements of a home made cheerful and happy by a lovely young wife, were all insufficient and powerless to divert him for an instant. It is hardly, then, to be wondered at that a man thus sleeplessly and entirely absorbed by the startling events now daily transpiring, especially when we consider that, even at his then early age, the evidences of that strong and towering intellect, which afterwards lifted its possessor to the side of the greatest in the world, were already stamped on many an enduring monument, should have been entrusted with the *work* of a body whose proceedings were giving tone to the sentiments of the entire country.

On this occasion he was ready for the emergency. The dissolution had scarcely been announced, before measures were taken to hold a private meeting at the Apollo. The members promptly assembled, and on that night was projected and passed the most important resolution ever adopted on the American continent. It was the initiative step of the revolution, the one from which all that followed was traced, the beginning which led to the glorious end. This was the proposition to the various colonial committees, that delegates

should assemble in a *Congress*, to be holden at such place as might be agreed on, *annually*, and to consider the measures proper to be adopted for the *general* interest; declaring further, that an attack on one colony should be considered an attack on the whole. This was in May. The proposition was acceded to; delegates were elected in the August next ensuing, and on the 4th of September, Philadelphia having been agreed on as the place, the first Continental Congress assembled in Independence Hall. Its important and splendid proceedings are known to every reader of American history. Jefferson was not then a member; but in March of 1775 he was, by general consent, added to the delegation from Virginia. A second career of action now opened before him. He had passed through the first honorably and successfully. Another was now to be ventured, and an enlarged field of labor and usefulness invited to the trial.

About this time the conciliatory propositions of old Lord North, commonly known as the Olive branch, were submitted by Gov. Dunmore to a special session of the Virginia Assembly. It was found, on close examination, to contain nothing which entitled it to so honorable a designation;—artful, indefinite, ambiguous, and full of that ministerial trickery for which the old Premier was so famous. Jefferson, at the solicitation of many who dreaded its being replied to from a less resolute source, framed the answer of the delegates, and, after some discussion and “a dash of cold water here and there,” the Assembly decided almost unanimously to reject the proposition. They were, of course, immediately dissolved, and Jefferson took his departure for Philadelphia. He was in his seat on the 21st of June. As an evidence of the high esteem in which his talents were already held by the members of that

august and venerable Congress, he was appointed two days afterward on one of the most important committees of the session, and, indeed, of the whole revolution. This was to prepare a declaration of the causes of taking up arms in opposition to the exactions of the British Parliament. It was a task of the greatest delicacy, and, as the premonitory step to an open and general rebellion, loaded with many difficulties, especially considering the complexion of a portion of the Congress. There were, even yet, many who clung to the hope of a speedy and satisfactory adjustment. Jefferson knew this well, and, being a new member and comparatively a young one, he proposed to Gov. Livingston to draw up the paper, trusting alike to the influence of his name and character, and to the admirable beauty and readiness of his pen. Livingston haughtily and somewhat impertinently refused, insinuating to Jefferson that he was quite too familiar for "a new acquaintance." The latter receded with a complimentary apology, and on the assembling of the committee, the duty devolved on Jefferson himself. Not used to shrink from responsibility, Jefferson at once consented to undertake its preparation. Of course it was similar in its tone to those which had previously been prepared by his pen in Virginia. Many objected, and Mr. Dickinson balked outright. Dickinson was among the most fervent of those who yet hoped for a reconciliation with Great Britain, and in deference to the scruples of one so eminently honest, the paper was handed over to him to be put in such shape as would more approximate his peculiar views. He presented one entirely different, and as a mark of personal favor and indulgence, it was accepted and passed by Congress. Another paper from the same source was also received and passed by Congress, in the midst, however, of general dissatisfaction and



disgust. This was an address to King George. Its humility was inexpressibly contemptible; but the conscript fathers of America were men of compromise and moderation,—an example which might be patterned with some profit by their descendants and successors. But the author was delighted with its passage, and “although,” says the Memoir, “out of order, he could not refrain from rising and expressing his satisfaction, and concluded by saying, ‘There is but one word, Mr. President, in the paper which I disapprove, and that is the word *Congress* ;’ on which Ben Harrison arose and said, ‘There is but one word in the paper, Mr. President, which I approve of, and that is the word *Congress*.’”

On the seventh of June, 1776, the delegates from Virginia, in accordance with instructions, moved “that the Congress should declare that these United Colonies are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British crown, and that all political connection between them and Great Britain is, and ought to be, totally dissolved; and that measures should be immediately taken for procuring the assistance of foreign powers, and a *confederation* be formed to bind the colonies more closely together.” The reading of such a resolution startled the whole House. It was, in one sense, the utterance of downright *treason*. But there was no avoiding the issue. The majority were resolved, and the whole people called for *action*. Nor did anybody doubt for a moment the source from which the resolution sprang. All that was culpable and all that was meritorious, its odium and its popularity alike belonged to Thomas Jefferson. Its tone, its wording, its emphasis and expression, all bore the unmistakable impress of his mind. He watched its fate with intense



anxiety, and the moment of its reception was to him a moment of relief and of self-congratulation. He felt *then* as if the die had been irretrievably cast, the Rubicon passed; that the *day* had at length arrived "big with the fate of Cato and of Rome." But it encountered powerful and serious opposition, and from persons and quarters where persevering opposition might have defeated its passage. Livingston, Rutledge, Dickinson, and some others, expressed doubts as to its necessity. They argued that action then would be premature, that the middle colonies were not ripe for revolt; that unanimity was the first thing to be desired; that *some* delegates were expressly forbidden to yield assent to any such measure; that France and Spain could not *yet* be counted on; that England might find the means of satisfying both of these powers; and that, above all, there was prudence in delay.

It thus became apparent that New York, New Jersey, Pennsylvania, Delaware, Maryland, and South Carolina, "were not matured for falling from the parent stem." The consideration of the resolution was, therefore, wisely postponed until the first of July. But a great point had, nevertheless, been gained. Congress agreed that a committee should be raised for the purpose of drawing up the form of a Declaration of Independence. This committee consisted of John Adams, Benjamin Franklin, Roger Sherman, Livingston, and Jefferson. The latter was again selected for the duty of preparing the draught. We approach this period of Mr. Jefferson's public career with sincere and unalloyed pleasure. Envy does not interpose, malice itself has invented naught to discourage that heartfelt admiration which fills all America when contemplating this grand achievement. We feel the more gratification from the fact that in the course of these pages, we shall be com-

pelled to offer a contrast between this and a subsequent period of his public life, which may not be at all favorable to the latter.

On the first of July, the resolution of the Virginia delegates was taken up and considered. After some discussion it was passed. The vote, however, was not unanimous. Pennsylvania and South Carolina went against it directly. The New York delegation stood off, approving the measure, but pleading the want of necessary instructions. Delaware was divided. When, however, the committee rose and reported to the House, Mr. Rutledge requested that final action might be suspended until the next day. The suggestion was caught at eagerly, and the request granted. No door was closed that might preclude unanimity. Accordingly, when the ultimate question came up, the delegates from that colony gave an affirmative vote, though they disapproved of the terms of the resolution. The timely arrival of a third member from Delaware, also changed the vote of that colony; and, in the meantime, the Pennsylvania delegation mustering its entire strength, cast her final vote in favor of the resolution. Thus, out of thirteen colonies, twelve gave their voices for Independence, while New York had no authority to vote at all. The result of this vote closed all avenues to a reconciliation with the mother country, and men's minds were, from that auspicious day, turned wholly to contemplating the means and the method of vigorous resistance. But another, and the most important, step remained yet to be taken. That was to publish to the world the *Declaration* of Independence. The vote on the resolution had scarcely been announced, before a report was called for from the committee which had been previously raised and charged with the execution of that duty. The task of preparing the draught every

body knew had been assigned to Jefferson, and all eyes were turned instantly towards his seat. The members sat in stern and silent expectation. The galleries and lobby, the aisles and passages of the Hall were filled to overflowing, and trembled beneath the weight of anxious and curious spectators. All who were privileged, and many who were not, had crowded within the bar, and occupied the floor of the House. While this excitement was at its height, Jefferson rose, holding in his hand the consecrated scroll which spoke the voice of freedom for a New World. All was calmed and hushed in a moment. We may easily imagine the varied feelings of that august body, and of the immense audience, as the clear, full-toned voice of the young Virginian sent forth the melodious sentences and glowing diction of that memorable body and revered document. The annunciative tone of the first paragraph excited at once the most eager attention. The declaration of rights followed, and the grave countenances of the delegates assumed an aspect of less severe meditation, and opened with the inspiration of kindling hope. The enumeration of wrongs done, and of insults perpetrated, falls in succinct cadences from the reader's lips, and the effect is told on frowning brows and crimsoned cheeks, and in eyes flashing with aroused anger, and the throes of bosoms burning with intense sympathy. And when, at the close of this significant and withering summary of wrongs and oppressions, the reader came to the eloquent sentence, "A prince whose character is thus marked by every act which may define a tyrant, is *unfit to be the ruler of a free people*," a picture presents itself to the mind's vision filled with thousands of glowing faces, marked with emotions of heartfelt and ominous approval. The conclusion was anticipated. The inward pledge of "life and fortune, and sacred honor,"

had been registered long ere it was reached in due course, and the form of *subscription gave only the outward sign of sanction*. When Jefferson sat down, he took his seat crowned with a fame that will perish only with the earth itself, and which has linked his name for ever with American Independence. An ecstasy of patriotism pervaded the entire audience. Statesmen and warriors, divines and philosophers, old and young, high and humble, were all alike filled with sensations of delight, of fervor, and of buoyant hope. Nor was night suffered to put an end to the joyous manifestations. The *people* were aroused; the spirit of revolution had diffused its heat among the masses of the city. Bonfires were lighted in the principal streets, and illuminated windows sent forth their merry light; sparkling libations were quaffed, and the "voluptuous swell" of music mingled with the cry of "Freedom and the American colonies!"

With all its faults, with all its susceptibility to criticism, we have ever regarded the Declaration of Independence as one of the most remarkable and eloquent productions that ever came from a human pen. Association, doubtless, has contributed much to induce this prepossession. It is right that it should do so. It is interwoven with the dearest recollections of every true American. It is whispered to him in the cradle; it is learned by heart in the nursery—the boom of every cannon on the Fourth of July, imprints it deeper in his memory—it gathers accumulated force in his youth—it is sacredly treasured in his old age—and yet, candor and the facts of history compel us to the belief, that *all* the glory of its composition should not be associated with the name of Jefferson alone, although he himself has laid *exclusive* claim to its authorship in the epitaph prescribed to be engraven on his tombstone. Throwing aside the al-



leged discoveries and researches of Mr. Bancroft, we are willing to go to the record as left by Jefferson himself, to support the assertion stated above. The original draught was, doubtless, prepared by Jefferson, unassisted, and without much consultation. But the original was vastly mutilated and cut down by the severer pens of Adams and Franklin, and parts of paragraphs supplied anew, particularly by the latter. It was changed both as to phraseology and sentiment, and materially improved in point of taste. These facts will be apparent to any who will examine closely the *fac simile* of the original copy appended to the memoir of the book now under review. As it was first prepared, there was an unseasonable preponderance of the high-sounding Johnsonian verbosity without the palliation of its elegance. It abounded with repetition and unmeaning sententiousness in some parts, while paragraphs and sentences were prolonged to an extent which might have startled Lord Bolingbroke himself, who, however, would have missed the grace and polish of his own didactic periods. In fact, the entire document underwent a shearing process in the revisory hands of the author's coadjutors, and was reproduced in a shape that has left it without a parallel of its kind in the history of any other nation. Some parts of it were really objectionable, and would most certainly have created bad blood both in the North and in the South. We allude to the long denunciation in the original draught, of commerce in slaves, and charging that commerce as one of the grievances on the part of the British monarch. Two of the Southern colonies, Georgia and South Carolina, were clamorous for the continuance of this traffic. Citizens of the North were the carriers and merchantmen, and it was, therefore, in both cases, a question of dollars and cents. Where

great movements are contemplated, dependent on unanimity for their success, it is hazardous and impolitic to begin operations by a war on sectional interests. Both Adams and Franklin knew this, and, although they must have agreed with Jefferson in the sentiment, they advised its total expunction. A few years later, such a clause might have met with the heartiest reception, and in this day would have been sanctioned by all Christendom. At that time it was an evil too general to be rebuked in such a document, written, as averred, mainly with a view to "a decent respect for the opinions of *mankind*." In 1776 it would have been a difficult matter, if history is to be believed, to have laid a finger on any portion of enlightened Christianized mankind who were not equally obnoxious to the charge of slave-stealing or slave-working as his Britannic Majesty. We speak of Governments or organized Societies, else we would pause to make an exception here in favor of the Quakers. This body of unpretending, consistent devotees, are the only portion of the Christian world, so far as we can now call to mind, whose hands are clear of this most abominable and nefarious traffic.

That Jefferson was thoroughly anti-slavery in his notions, the whole of his political history in connection with the subject most conclusively establishes. He was so, conscientiously and uncompromisingly. He never degenerated into rabid or radical abolitionism, but his moderation and tolerance evidently cost him many struggles. He made known this opposition to slavery on every proper occasion, and before every legislative body of which he became a member. We find him meeting it at every assailable point, heartily endeavoring to promote speedy emancipation, and to impede its extension. In the first of these objects he failed entirely. In the last, he met with gratifying success,



through means of the celebrated Ordinance of 1787. Among the latest records of his pen, after he had lived nearly fourscore years, is the emphatic prophecy, "that emancipation must be adopted, or *worse would follow*. That nothing was more certainly written in the book of *fate*, than that these people (the negroes) were to be *free*." The manner of this expression is less that of a philosopher than of an enthusiast. Whenever he speaks of slavery at all, he speaks of it in terms never less moderate than those quoted; and its opponents can fortify themselves, as we think, with no more reliable authority than the name of him who forms the subject of these volumes.

On the fifth of September following the declaration of Independence, Jefferson resigned his seat in the colonial Congress, and became once again a delegate to the House of Burgesses of the Virginia Assembly. He entered at once upon a difficult line of duties. He introduced bills establishing Courts of Justice, to regulate titles to property, to prohibit the further importation of slaves within the colony, to institute freedom of opinion in religion; and aided in reconstructing the entire Statutory Code of Virginia. Soon after, he was made Governor. He then declined, successively, three foreign appointments from Congress. He served the Commonwealth with distinguished ability during the darkest period of the war, narrowly escaping, several times, the dragoons of Tarleton and Simcoe. In the spring of 1783 he was again appointed a delegate to Congress, then in session at Annapolis. He served about a year, when he was again appointed to a foreign mission, and this time he accepted. On the sixth day of July, 1784, he arrived at Paris, where he was to act, in concert with Dr. Franklin and John Adams, in negotiating and concluding a general treaty of commerce

with foreign nations. We design not to dwell on this portion of his public services, as it does not come properly within the range of the object we have in view. He remained abroad until September of 1789. Returning home, he was appointed during the following winter to the new Department of State, under the Presidency of George Washington.

This ends the second and brightest, if not the most important epoch of Jefferson's public career. The fourth and last may, indeed, have been philosophically and tranquilly passed; but the third, on which we are now entering, is chequered alternately with light and gloom; with much that is worthy of admiration, with more, we fear, that is obnoxious to censure. We proceed to the task of criticism under stern convictions of duty, but not without reluctance.

At this date of his political history, Jefferson concludes his memoir. Henceforth we must look to the Correspondence, and to what other authorities may be found appropriate, to complete the object of our inquiries.

Up to the year 1792, no distinct party organization had existed. The administration, fortified in the love and respect of the entire people, went on swimmingly. Washington himself could not be assailed. The other members of government were sheltered by the protecting Ægis of his popularity. But the gigantic financial policy of Alexander Hamilton began now to beget serious uneasiness in the minds of all who dreaded the centralization of power in the hands of the General Government, and the consequent depreciation of the State sovereignties. The State debts had been assumed, and a large and powerful body of creditors turned their attention to the *Union*, and not to the separate independencies. Duties were laid on imported goods, and the

merchant transacted his business under the authority and patronage of the United States. The Bank, which now formed the great connecting link of commerce between the States, was of federal origin. The manufacturer looked to the Union for the protection he needed; and the ship-owners and seamen looked also to the same quarter for the same favor. A fierce opposition sprang up. It found an adroit and a willing leader in Thomas Jefferson. He felt his way cautiously, secretly, and by slow degrees. But there was one material obstruction in the way of an active and effective opposition. All the respectable presses in the country were strongly federal; stout advocates of Washington's administration. Nothing could be done, so long as this impediment remained in the way. Jefferson soon fell upon a plan to surmount it. His residence in France during the revolution, and his intimate acquaintance with the revolutionary chiefs, had schooled him in those arts and intrigues which ripen party schemes. He had his eye now upon a man, the only man perhaps in all America admirably adapted to the purposes of the opposition. A restless, narrow-minded, distempered little Frenchman, named Philip Freneau, was then conducting a low and scurrilous print in the city of New York. His boldness and carelessness of character, together with some fluency in the language of the fish-market, attracted the attention of those who were beginning to form a plan of opposition to Washington's administration. Jefferson, now Secretary of State, tempted him, by the offer of a clerkship in his own Department, to remove to Philadelphia. The starving Frenchman, whose most sumptuous diet had been only stale crackers and cheese, of course jumped at the offer, and pledged himself to pursue with indiscriminate rancor, the wisest as well as the worst of Washington's measures. The National

Gazette was established, and a repository of more than Augean uncleanness became the head quarters of those who had raised their parricidal hands against the Father of his Country. "During its short-lived existence," says a modern author, "it was notorious for its scandalous falsehoods and misrepresentations, its fulsome adulation of Mr. Jefferson, and its gross abuse of leading federal men." The example thus conspicuously set, has been ever since assiduously followed by the party which dates its origin at this period, and which claims the powerful paternity of Jefferson's name and principles. We shall not contravene this claim, nor question the authenticity of such origin. We believe that the claim is well founded, and the origin fairly attested. But their efforts against Washington and his administration signally and ingloriously failed. They did not venture even to name the real object of assault. The demonstration was made against Adams, the Vice President, and Alexander Hamilton, Secretary of the Treasury. Against the administration of the first they subsequently succeeded; while, in connection with the latter, they carried their design of opposition by coupling his name with an undue bias in favor of England; thus making use of the ferocious prejudice which still existed against that country. Even so late as 1848, a distinguished statesman and Presidential *nominee* of this same radical party, has condescended to avail himself of this odium, supposed to be attached to Hamilton's name, and, in the same letter (unwittingly, but, doubtless) tacitly admits his lineal party descent from the Jacobinical faction of 1793, by claiming this period as "the starting point of difference" betwixt the two great "parties" of the present day.

In the summer of 1794 occurred the famous, or rather *infamous*, Whiskey Rebellion in the State of



Pennsylvania. The law of '91 had imposed a duty on spirits distilled within the United States. It was violently menaced and resisted by the parties interested. Inspectors were insulted, officers of the excise tarred and feathered, marshals attacked and fired upon. At length the patience of the President was exhausted; he marched an army into the disaffected country, and the insurrection was speedily quelled. The opposition had not discountenanced the course or the cause of the rioters. Some of their presses had openly fomented and excited the revolt. "It was shrewdly suspected," says the same author before quoted, "that Jefferson did not look with very great reprobation on the Pennsylvania insurrection." This suspicion has not been controverted, but rather confirmed, by the tenor of his published correspondence, and opens a dark and unpleasing chapter of his public history. Just previously to this nefarious outbreak, he had given utterance to opinions in this connection which would have disgraced Fouche or Robespierre, and which cannot *now* be characterized by a less mild term than *atrocious*. Speaking of Shay's rebellion in Massachusetts, he had said, "God forbid we should *even be twenty years without such a rebellion*. What country can preserve its liberties if its rulers are not warned from time to time that the people preserve *the spirit of resistance*? *Let them take arms*. The remedy is, to set them right as to facts, pardon and pacify them. *The tree of liberty must be refreshed from time to time with the blood of patriots and of tyrants.*" We venture the assertion that no sentiments more anarchical and dangerous can be found in any document of history from the period of Machiavelli's "Prince" to Dorr's Manifesto. They are precisely the sentiments which animated such men as Jack Cade and Watt Tyler, and Philip Freneau, and Callender,



and Citizen Genet. The Russian Strelitzes or the Turkish Janizaries cannot be charged with motives more criminal, or with deeds more abhorrent than such sentiments would have brought about. The only palliation for their utterance is to be found in that charity which covers the zeal of a sincere though misguided opposition. The French associations and prejudices of Jefferson had seduced him into a lamentable departure from the safe, moderate, and consistent revolutionary principles which marked the period of 1776. He had heard the fierce debates of the Jacobin Clubs, and thrilled under the reeking eloquence of Danton and his tiger-tempered colleague. All the murders committed by the Revolutionary Tribunal—all the blood which flowed from the scaffold of the death-dealing guillotine—the horrors of the Reign of Terror—the sighs and tears which had made Paris the terrestrial counterpart of a hell, were insufficient to *disgust* the author of the Declaration of American Independence. His philosophic eye beheld, tearless, the walking images of broken hearts and crushed affections which crossed his daily path, and surveyed, unmoved, the mournful emblems which shrouded an entire city with funeral drapery. Nor do we assume any too much in saying this. The memoir before us contains nothing which can rescue its distinguished author from the severity of the inference. We find nothing in the Correspondence to explain the omission. It may, therefore, be fairly supposed, that Jefferson was not so greatly horrified at these manifold and ceaseless atrocities as ever to think that the cause of Liberty, thus conducted, was the cause of anarchy and of murder. We might extend these inferences further. During the reign of the bloody Triumvirate, private conversations and careless expressions, uttered even in the recesses of the family circle, were made the

plea for butchering the speakers on the following day. It is not unlikely to suppose that Jefferson *here* learned his art of noting down what occurred at dining tables, and private parties, and social gatherings, that the compiler of the volumes before us might afterwards give to the world, in the shape of the "Ana," a method of espionage which would have shamed even Lavalette or Savary, and challenged attention from Bourienne himself. We would willingly have drawn a veil over this portion of the published political works of Thomas Jefferson. But we consider that the worst was done when the editor of these volumes passed the "Ana" into the hands of the printer. It is not for us to find fault with the taste which prompted the publication of a private journal. Our duty and intention are, as the undisputed right of a reviewer, to express our opinions of the production. But we must not digress further.

Thus imbued with the effects, if not with the spirit, of Jacobinism, Jefferson had returned to America; and we may thus account for his opinions on Shay's Rebellion, his supposed sympathy with the Whiskey insurrectionists, his intimacy with such men as Callender, and Freneau, and Tom Paine, and his early and insidious opposition to the administration of George Washington. The first object of attack had been the financial policy of Hamilton, and thus far we sanction, in part, at least, this course of policy. The views and the aims of that eminent minister have never had entirely our political sympathies. There was, in all his measures, a too consolidating tendency, which might have resulted alarmingly in after days. But the thunders of the opposition were soon turned more directly against Washington himself by a merciless assault on the treaty of John Jay, which, it was known, had received the President's cordial approval. It was fought in every

way known to Parliamentary warfare, and Washington was goaded by every means to which an adroit and inventive opposition could resort. It was wranglingly and factiously debated in the Senate, and it was threatened with the *vengeance* of the House. To crown all, a resolution was brought forward by Livingston, requesting the President "to lay before the House a copy of the instructions to the Minister of the United States, who negotiated a treaty with the King of Great Britain, communicated by his message, together with the correspondence and other documents relative to the said treaty." This was subsequently qualified by a clause to the effect, "excepting such papers as any existing negotiation may render improper to be disclosed." To this resolution the President first responded, "that he would take the subject into consideration." He finally refused to lay any such papers before the House. This refusal stimulated the opposition to increased bitterness, and "appeared," in the language of Marshall, "to break the last chord of that attachment which had heretofore bound some of the active leaders of the opposition to the person of the President." Long anterior to this, however, Jefferson, although still recognized as the head of the opposition, had resigned his post of State Secretary, and from his retirement at Monticello fulminated the signs, tokens, and passwords of determined and ceaseless hostility to the policy of the administration. He had openly ridiculed the course of Washington in the Whiskey Rebellion, and had encouraged, while engaged in combating, the pretensions of citizen Genet. He now resorted to the more candid warfare of denunciation, and directed the whole influence of his name and the whole power of his pen against the Jay treaty. But all would not do. The magic of Washington's popularity continued

to prevail, and it became evident that the nation favored the prompt ratification of the treaty. It was ratified, and the hopes of Jefferson and his now numerous friends had to be postponed for a season.

On the 4th of March, 1797, John Adams was inaugurated President of the United States, and, at the same time, Thomas Jefferson was sworn in as Vice President. The character of Adams, according to the testimony of his best friends and warmest admirers, was an anomaly. "Of a restless and irritable temperament," says a strong federal biographer; "jealous of other's praise, and suspicious of their influence; obstinate and yet fickle; actuated by an ambition which could bear neither opposition nor lukewarmness, and vain to a degree approaching insanity, he was himself incapable alike of conceiving or of acting upon a settled system of policy, and was to others as easy a subject for indirect management, as he was impracticable to more legitimate approach. With the noblest impulses and the meanest passions, he presents a portrait which, in its contradictory features, resembles more the shifting image of a dream than the countenance of an actual being."

It does not come within the design of this article either to endorse or to combat this opinion. We will barely add what the writer might properly have added, that the patriotism and native honesty of John Adams were sadly blurred by a bad temper and an excitable vindictiveness. "As was his character, so proved the administration of such a man; flickering, unstable, without fixed rule or definite object." The hitherto obstructed road of the opposition was now fairly cleared. The awe of Washington's great name stood no longer in their way. The far-reaching sagacity of Jefferson was at work, and his policy and plan of operations were



soon developed. During the stormy period of the Revolution he and Adams had been attached and intimate friends. Their associations had been of a character more than usually cordial and confidential. Soon after Jefferson's return from France they fell out, and became partially estranged. But the difference did not quite amount to a personal quarrel, and they still remained on civil terms of intercourse. No one knew better than Jefferson the weak points in the character and constitution of John Adams. He believed firmly in the honesty of his heart, but he was well acquainted with the instability of his political opinions; with his leaning, one day, to rank federalism, and the next, to downright radicalism. "He (Adams) by turns defended the mob, and advocated hereditary power." This was an open prey to an ingenious and a watchful opposition, and Jefferson did not scruple to turn his private knowledge and past associations to legitimate political account. We do not mean to say that he ever betrayed confidence. Jefferson had both too much caution and too much pride of character to act dishonorably. It may be explained easily on the score of ambition and selfishness, neither of which can be denied to him in their fullest latitude. But the object was now to estrange Adams from the party which had elected him, by this move, to weaken the federalists, to destroy the influence of Hamilton, and clear the way for the accession of Jefferson and the Democrats. The accomplishment of such a plan required the most consummate address. It was not hard to perceive that such requisition was more than fulfilled in the person of the acknowledged leader of the opposition. Jefferson was just the man to play the game which was now in hand. His affectation was in being plain, and his plainness of appearance and intercourse did amount almost to unvar-



nished demagoguism. He desired to be known in America by the same popular cognomen by which William Pitt had been long hailed and worshipped in England, that of the "Great Commoner." Pitt, however, not only was ambitious to lead, but to *be thought* to lead. Jefferson, on the contrary, was neither bold enough nor haughty enough to court the latter distinction. He desired to lead, but to make others *believe* that he *was led*. This, however, was the choice rather of policy than of timidity. He may have lacked candor—he may have been time-serving, accommodating, and subservient—but he was not deficient in courage. We are told, indeed, that he had acquired, about this time, a less enviable surname than the one which distinguished Pitt. He was called "The Trimmer." But all this, as Terry O'Rourke would say, was "a part of his system." He was engaged in running a mine which, when completed, was to demolish the federal party, and he did not pause in his work or stop to defend himself from mere personal attacks. He, therefore, set assiduously about renewing his former intimacy with Adams. It was very well known that a portion of the Federalists, with Alexander Hamilton at their head, had manœuvred to place Mr. Pinckney ahead of Mr. Adams on the party ticket; and, if possible, to give the Presidency to the former. Adams's hot temper rose to the boiling point when this was made known to him, and he set the brand of his never-ending hatred on the brow of Hamilton. To foment this difference became the chief end of the opposition. Adams was adroitly cajoled, while Hamilton was still more virulently assailed. Jefferson addressed to him the most seductive and weaning letters, and wrote flatteringly about him to others. Prominent ultra-democrats, his former personal friends, crowded his reception rooms, and baited him with a

thousand tempting morsels, all artfully directed against the known vulnerable points of his character. The vain old man proved an easy victim, and fell unwarily into the snare. He met cordially the advances of Jefferson, took Gerry, one of the most determined Democrats, into the closest confidence, and, in a tempest of exacerbation and rage, drove many of the warmest Federalists from his councils and his presence. This was precisely what had been played for by the opposition. Their point was gained, the fatal breach irrevocably effected. In the meanwhile the difficulties with France assumed an alarming aspect. The conduct of the Directory had become intolerable. They had first insulted the American Envoy, and then driven him from the French territories. A special session of Congress was called by the President. The Federalists had a clear majority in both Houses, and the speech breathed war and vengeance against France, and breathed them most justly. The opposition then showed the drift of their policy. Denunciations the most ireful and menacing were hurled against the recommendations of the Executive, and against a war with republican France. The President was roused to desperation by these sudden and withering assaults, and followed up his recommendations with all the influence of his name and his office. Measures were taken to prepare for hostilities; Washington was drawn from his coveted retirement to be invested once more with the chief generalship of his country's armies, and the spirit of the nation seemed to favor the course of the Government. The result might have been auspicious for the administration, if matters had been suffered to remain in this situation. But the temper of the President was despotic, and the least draught of popular favor intoxicated him with vanity. At the next session of Congress, at the espe-

cial instance of the Executive, were passed the celebrated Alien and Sedition Laws, and from that day the administration and political prospects of John Adams were doomed. They were the worst laws that ever emanated from American legislators, and their passage was a death blow to the Federal party. The opposition charged upon them with concentrated, irresistible force, and the thunders of the press were turned to the work of their demolition. The Legislatures of the different States entered energetically into the strife. The Virginia and Kentucky resolutions of '98 followed, destined to a notoriety co-existent with the most treasured archives of the Republic. The first were prepared by James Madison, and the last by Thomas Jefferson. It is foreign to the purposes we have in view to discuss elaborately the merits of these well-known documents. We shall content ourselves with a single remark. They contain, in our humble judgment, much that is conservative and worthy of remembrance; but they also contain much more that we deem dangerous, Jacobinical, and wildly revolutionary in tendency. The remedies they inculcate for constitutional infractions are extreme, repugnant to genuine patriotism, and wholly unnecessary in a government where the people hold the power of the ballot box. This view gathers additional weight when it is considered that an intermediate umpirage exists in the Supreme Court. In fact, the American Constitution neither countenances nor warrants extreme measures in any case. If we correctly understand its language and spirit, we should say that all chances of aggression, from any quarter, are amply provided for and guarded against. Balances and checks, and legitimate remedial processes pervade its every feature. We regard it as the mere silly cant of suspicious, over-zealous enthusiasts and designing demagogues, to advocate nullifica-

tion, revolution, or dissolution as ulterior or unavoidable remedies in cases of encroachment. The ship may spring a leak, but the mariner does not desert and take to the open and unfriendly seas until the pumps have been thoroughly tried and exhausted. It will then be soon enough to take refuge in extreme measures, when the safeguards of the constitution are found unavailing.

But the Virginia and Kentucky resolutions answered and fully attained the objects for which they were designed. They served to beat down the Alien and Sedition laws, and formed the entering wedge to the subversion and eradication of the old Federal party. So far it was good. Happy would it have been for the country if this good could have been effected without the entailment of an evil scarcely less deplorable than that which had been crushed! But from that day to this, the objectionable doctrines taught in these papers (especially those of Jefferson) have been made the theme and the authority of coagitators, of aspirants, of factionists, and of demagogues. They have been leaned upon for apology, and for shelter from obloquy and odium. The tendency of their principles reaches and covers anarchy itself, and justifies the overthrow of established governments as a primary, extra-constitutional remedy against supposed infractions. Their abstractions, and, indeed, their proposed remedies, would have applied to the old colonial government under Great Britain. But the mischief was complete, when they were offered as suggesting a method of resistance to the authority and laws of the Government of the United States. Their teachings were hailed by all the discontented and revolutionary classes of that day. The Shay rebellionists, the Whiskey insurrectionists, the Jacobin clubs of Philadelphia and other cities, the followers of the Genet faction, and the satellites of Fre-



neau and Callender, received them as text-books, and became associated in one solid *Democratic* phalanx. The Federalists shrank into disrepute, and gradually dwindled until they were extinguished by the proceedings of the Hartford Convention. Until then, or at least, up to 1807, the radical Democratic party, founded and fostered by Jefferson, held undivided, undisputed sway. But at the latter period a new party emerged from the political chaos. It was composed of the moderate Democrats and the more liberal portion of the defeated Federalists. It numbered in its ranks such men as Monroe, and Crawford, and Gerry, the younger Adams, and Henry Clay—the dawn of whose genius was just then irradiating the horizon. It was the Conservative party of the country—the medium spot of patriotism, beat upon alike by rank Federalism and impracticable Democracy. It gathered strength with years, and soon numbered among its converts James Madison, who, however, had favored it from the first.

We must here pause for the present. In some future number, the grounds here assumed will be further elucidated. We have now brought Jefferson to the end of the third era of his political life, and leave him on the eve of success and of elevation to the highest and proudest honors of his country. We shall soon resume the narrative, if permitted by health and life.

## PART II.

HAVING, in our first number, conducted the distinguished subject of these memoirs to the threshold of his greatest political elevation, we now proceed to depicture and carefully analyze so much of the policy of his administration as may serve to develop the object



of this essay, and to illustrate the *representative* features in the public character of the first Democratic President. We enter upon this important and delicate task after a most agreeable interval of mutual relaxation, and with a greatly enlarged stock of material. We have long since done, however, with all that can be justly called disinterested and admirable in the life and character of Jefferson. Over a space of more than twenty years, dating from 1790, we are forced to contemplate him in the character of a fierce and implacable partisan chief, whose efforts and influence were directed solely to the demolition of a hated sect, and the aggrandizement of one of which *he* was the idol and the head.

From the very moment that he detected the superior and predominating influence of Alexander Hamilton in the councils and policy of Washington, his besetting sin of jealousy prompted in him a spirit of opposition, whose rancor has been equalled only by the "bitter-endism" of our day. To the sedulous transmission of this spirit from the parent fountain, is to be attributed, we incline to think, that radical partyism which has since disfigured and marred the administration of government, and entailed upon the country a series of *principles* (so called), which, if such be our fate, will one day result in the disaster of secession or despotism.

Jefferson did not enter the White House in a way very complimentary to his public character, or that indicated much personal popularity. The Electoral Colleges gave him a meagre majority of eight votes only over his federal competitors; whilst his republican colleague obtained the same number with himself. This last was Aaron Burr, who, at a subsequent period, was made bitterly to expiate this equalization with the despotic tempered sage of Monticello, whose pride was

sorely touched at being thus unexpectedly levelled with one who had hitherto attracted but little notice beyond the limits of his own State. From the hour when the vote was announced in the Senate Chamber, to the gloomy day when Burr returned from Europe, long years afterward, friendless, poverty-stricken, and broken-hearted, the envious eye of Jefferson was fixed upon him, and misfortune and persecution, thus powerfully directed, hunted him to a premature and unhonored obscurity. The unrelenting hatred of Jefferson can be accounted for in no other way, that history has so far developed. The good fortune of Burr was his only offence, in this instance ; though, as regarded others, he had an awful crime to answer for. His murderous hand had laid low the most intimate friend and counsellor of Washington, the main author and expounder of the Constitution, whose profound mind and ready hand had aided more than any other's to carry into successful practice the project of our government. Of this, more anon.

Through this equality of votes betwixt the two democratic candidates the choice of a President devolved upon the House of Representatives. The balloting began on the morning of the 17th of February, 1801, and continued, with few intervals, through a period of seven days, without a clear result. All Washington was in a ferment. The galleries and lobbies of the House were daily crowded to overflowing with anxious spectators, and Pennsylvania avenue was thronged with messengers passing alternately from the Capitol to the White House, bearing the news of each successive ballot to its nervous occupant—Jefferson was on the ground, presiding daily in the Senate Chamber, and watched the progress of the struggle with all the inquietude incident to a dubious state of mind, and with all the eager solicitude of an aspiring and ambi-

tious spirit. Burr designedly absented himself, having first placed his political fortunes in the hands and at the discretion of a judicious personal friend. It had been resolved at the outset that the House should discard all other business during the pendency of the election, and that it should not adjourn until an election was effected. This body was composed of singular materials, in a political sense, for the business which had now devolved upon it. The vote of the colleges had shown clearly that there was a democratic majority of States. But of the one hundred and four members who then formed the House of Representatives, a majority were zealous Federalists. The position in which they were thus placed was one of peculiar and painful delicacy. Both the candidates for Presidential honors were Democrats, and one of them the founder and leader of that opposition party which, beginning stealthily during Washington's administration, had pursued federal men and federal principles with a rancor scarcely paralleled in the history of faction. For these reasons both were objectionable; but, as may be very well imagined, Jefferson was viewed, particularly, with strong feelings both of personal and political hostility by the majority in whose hands lay the issue of the election. During two or three days, therefore, Burr seemed to be decidedly the favorite of the Federalists, and his prospects of success brightened in a manner that cast dismay and gloom over the ranks of the Jeffersonians. They grew outrageous in their course, and uttered threats which plainly indicated the anarchical and revolutionary tendency of their political principles. They insisted that the *people* intended Jefferson should be President, they even attempted to bully the refractory members, by declaring that, if the House did not choose him, an armed democratic force from the neigh-

boring States would march upon the District to *compel* his election, or else, with Cromwellian intolerance, dissolve and break up the Congress, that "better men might occupy their places." The record of this fact is furnished in the third volume of the work before us, and its authenticity confirmed by Jefferson himself, in a letter to James Monroe, dated on the fifth day of the protracted and exciting contest. Nor is the annunciation of such resolves at all irreconcilable with the previous political manifestos of our distinguished subject, notwithstanding that the language of the Constitution conferring the power of choice, in such contingency, directly and solely on the House of Representatives, is clear, pointed, and unmistakable.

His known sympathy with the Shayites, the Whiskey Insurrectionists, and the Jacobin clubs of Philadelphia, and his connection with the Nullification *Pro-nunciamentos* of the Virginia Legislature, as well as this threat of armed resistance, show clearly enough his contempt for the Constitution, and the disorganizing elements which lay at the root of his political opinions.

But this was only one among the exciting rumors which distracted the city of Washington during that stormy period. Various stories were afloat of bribes and accommodating offers, of Burr's open bids, and of Jefferson's private overtures. Among the rest it was currently whispered that the federal majority of the House being unable, after repeated trials, to make favorable terms with either of the candidates, and finding that the whole power was lodged with them, had resolved to prevent any choice, by prolonging the contest until after the fourth of March, or to pass a law vesting the Executive power in some other person. In the same letter referred to above, Jefferson declares



his apprehensions of such a course, and goes on to deprecate and denounce it. "It is not improbable," says a distinguished writer, "that, from the abhorrence which some members may have felt at seeing Mr. Jefferson in the office of President, means were *spoken* of to prevent such a national disaster. Doubtless the Federalists would have done any thing which they believed to be constitutional and dutiful to prevent it; but no such propositions are supposed to have been discussed." And, indeed, hard as the trial was to political opponents, forced thus to sign, as it were, the warrant for their own political annihilation, the records show that the Federalists sought only the most favorable terms in their negotiations with the friends of the two democratic rival candidates. There was no avoiding the issue—no shrinking from the responsibility, and it is clear, on a review of the proceedings, that an election was determined on from the beginning.

The seventh day dawned on the contest, and thirty-five ballotings had been taken without an election. At length the struggle was terminated in a manner the most singular, and at the instance of a personage who might have been supposed to be the last man in the United States to interfere in a contest betwixt Aaron Burr and Thomas Jefferson. This was Alexander Hamilton. Hamilton regarded Burr with a species of horror that seems to have proceeded less from malign feeling, than from an innate consciousness of his utter want of principle, or the least moral susceptibility. Jefferson, too, had long been his political adversary and strong personal enemy, but when consulted by his friends as to the choice of evils, we are told that Hamilton unhesitatingly and most strenuously urged that the preference should be given to the latter. This, most probably, may have been the first link in that



fatal chain of personal animosities which ended with the tragedy of Hoboken.

It soon transpired that the majority had been, by some means, sufficiently united to bring the election to a close, and on the seventh day, every member was in his seat. The House presented a remarkable spectacle, strongly illustrative of the intense excitement then pervading the whole circles of Washington society. Many of the members were aged and infirm, and many worn down with fatigue, were seriously indisposed, as the array of pale faces and languid eyes plainly showed. Some were accommodated, from pressing considerations of prudence, with huge easy chairs. Others, again, were reclining on beds or couches, almost in a state of bodily exhaustion, induced by mental anxiety and suffering. Indeed, we are told by a contemporaneous writer, that one member was so prostrated as to require the attention of his wife throughout the day's sitting. The Departments, also, and bureaus, and various offices attached, were deserted, that their incumbents might be present at the expected finale of the great political drama which had created, during its enactment of nigh seven days, an interest of unprecedented intensity. Numbers of grave Senators left their seats in the Chamber to occupy the benches of the lobby, or to squeeze their way among privileged spectators who filled the body of the House; while the gallery teemed with countless faces, and groaned under the weight of a crowd, the like of which had never before pressed on the stately pillars which supported it. At length the tellers took their seats. The ballots were deposited slowly, one by one, and then amidst a breathless silence that seemed ominous in view of the vast numbers assembled, the counting began. The representatives for sixteen States had voted. The result

showed that out of these sixteen ballots, there were ten for Jefferson, four for Burr, and two blank. Under these circumstances, after a struggle of seven days' duration, and after thirty-six trials, was Thomas Jefferson elected President of the United States. It is more than probable that if Burr had exerted himself in the least, had made the least concession, or suffered his friends to pledge him to leniency as regarded the distribution of offices, he would have prevailed; and although it is unquestionable that Jefferson had been intended by the people for the first office, we cannot doubt that the choice of Burr by the House would have been acquiesced in and ratified as a strictly legitimate and constitutional proceeding. In long after years a similar contest occurred in the case of John Quincy Adams, who having been thrown before the House of Representatives with a far inferior electoral vote to Andrew Jackson, was, nevertheless, chosen President by that body on the first ballot; and the people, unseduced by the dangerous theories which Jefferson had inculcated previously in his own case, did *not* "march an armed force from the neighboring States to *compel*" a different choice. This quiet submission to the constituted authority would have been the same in 1801 as in 1825, the malevolent efforts of the Jeffersonians to the contrary notwithstanding.

The acme of political elevation did not, in one sense, operate to destroy in Jefferson that inclination to demagoguism which had hitherto characterized him. The hard struggle it had cost his friends to make him President rather whetted than abated his ambition, and his ardor for power increased in proportion as it had been difficult to secure it. His first acts after entering the White House showed that he was casting his net for easy re-election at the end of four years. He began by

an emphatic repudiation of all the conventional customs and etiquette established by Washington and followed up by John Adams. The levees and drawing-rooms of Washington were given in a manner to impose the highest notions of official dignity, and were subjected to such rules of etiquette as seemed fit to govern receptions at the mansion of the chief officer of the government. Mr. Adams did not depart from these ; but Jefferson at once abolished all ceremony, and threw open his doors to every swaggerer who chose to intrude. He had no regular or stated hours for visiting. He was accessible at any hour, to any person. His personal deportment was ever cringing, and amounted to an excess of humility that inspired a feeling of disgust, because, among other things, it was seen that affectation was at the bottom of such unseemly deference. He maintained no equipage. He rode about the avenues of Washington on an ugly shambling hack of a horse, which, it is said, was hardly fitted to drag a tumbril. His whole address and manner indicated his subserviency to the same species of affectation that prompts a backwoods Methodist exhorter to elongate his face, to solemnize his looks, and to converse and read in a sepulchral tone. In fact, his receptions soon became a source of mortification to our own community, and furnished a subject of ridicule to European travellers. No President has copied his example since, though it is not hard to perceive that the levees at the White House smack yet of the levelling policy introduced by Jefferson. Nor did he stop here with what he doubtless deemed a system of democratic reform. It had been the habit of Washington and his successor to meet personally the two Houses of Congress on the day of their assemblage, and address them a speech explanatory of affairs, and recommending what course of policy might

have suggested itself in the interval of their session. This was the mode long sanctioned by precedent and by parliamentary usage. It is the mode evidently suggested by respect as well as convenience, and which clothes so august an occasion with the awe and dignity suitable to a re-assemblage of the State's and people's representatives. But Jefferson chose to annul the ancient custom, and introduced the system of *messages*, since practised, and which, of late years, has been adopted by Presidents as a vehicle to set forth their own policy, to decry and calumniate their adversaries, and to bore the Congress with tedious disquisitions, better suited to penny lecturers or hired journalists than to the Chief Magistrate of a powerful nation. We are inclined to think, therefore, that Jefferson placed the seal of his displeasure on these customs more with a view to annihilate all traces of *federalism*, as represented by Washington and Adams, than from any conscientious suggestions of reform. The Mazzei letter had, moreover, fairly committed him to a *sans culotte* species of democracy, and, although he had labored to explain and palliate the offensive passages of that extraordinary document, he may yet have thought that consistency required that he should renounce those "British forms," which he had so bitterly condemned in George Washington's official etiquette.

The Inaugural Address of Jefferson breathed sentiments of political tolerance, and abounded with expressions of political harmony, totally unexpected, and which excited high hopes of his administrative clemency. We cannot find that he ever falsified these implied promises. The latter years of Adams's Presidency had been marked by a ferocious and virulent proscription of all who differed politically with the administration, and the last few months, especially when it was found



that the Federal party had been beaten in the elections, were disgraced by acts of intolerance and selfishness that made the man and his party odious to a majority of the nation. Laws were passed by the Federal Congress which had the air of beneficiary decrees, and new offices created, it would seem, only that the President might fill them with his party and personal favorites, in time to exclude such as might otherwise be appointed by the incoming administration.

To have continued or acquiesced in this course of conduct would have been the worst form of proscription. Jefferson, therefore, very properly began his administrative career by displacing numbers of office-holders who had been appointed mainly because of their federal principles, and filled the vacancies created with Democrats. This course was called for by common fairness; and, although we must regard Jefferson as the author of the fierce party *issue* that yet darkens our political system, and has converted our Presidential elections into campaigns, and made the preparations for them a deceitful and despicable game, we cannot judge him hastily for conforming his conduct to that equality in the distribution of offices which the justice of the case required. He did not procrastinate or trifle in the discharge of this duty, but went to the work with promptness and determination; and this promptness shielded him from the annoyances and the influences of federal "bitter-endism." The wailings of the opposition prints were not over mere smoke or imaginary cases, as at the beginning of the present Whig administration. The heads of the highest in office fell first and fastest, and the axe of justice cut its way from the Executive Departments and from the diplomatic offices, to the humblest post-office at a county cross road, and to the most obscure light-house that lifted its beacon on



our coasts. There was no soft hesitation, no mistimed caution, no misjudged forbearance. This is a policy, under such circumstances, as weak as it is ruinous to those who practise it. It contributes to strengthen and to quicken opposition, while it discourages friends. So far from conciliating political opponents, it is more apt to induce contempt, and serves eminently to fan the flame of a malignant "bitter-endism." The bold proceedings of Jefferson hushed while they defied rabid partisan clamor, and those who had been ostracised for opinion's sake were placed on a footing of full equality with the pampered favorites of the late administration. To this conduct may be traced the primary sources of that wonderful popularity to which the democratic administration soon attained, and which it preserved through a series of eight eventful years, marked by acts and measures that blighted the prosperity of the country, and threw gloom and distress over almost every household. Its energy and decision inspired confidence among friends, and drew the respect of enemies. Whatever, therefore, may have been the motive which induced these removals, the act was just, deserved by those who had indulged party asperities in their day of power, and strictly due to those who had labored to overthrow the reign of political intolerance and proscription.

The war which, on his accession, Jefferson waged against the Judiciary and Judicial authority and dignity, was a step very full of hazard as to the probable deleterious effects it may have produced on the public mind, and must be heartily condemned by all unbiassed historiographers. It was a branch of the Government which he had, from the first, unscrupulously denounced and opposed, and notwithstanding his professed horror at the appointment of the "midnight judges" by Ad-

ams' expiring administration, we are inclined to think that his hostility against the law establishing federal courts throughout the various States was superinduced mainly by his ancient prejudices and unconquerable jealousy. He evidently had little or no respect for the proceedings of courts of law, and never hesitated to oppose the power of the Executive as of higher moment than the Judiciary arm of the Government. The best evidence of this is furnished by several letters contained in the fourth volume of the work before us, as well as by one among his first official acts. George Thompson Callender, the Scotch libeller and defamer of Washington, had published, during the administration of John Adams, a scurrilous book, entitled, "The Prospect before us," filled with the most inflammatory appeals, and calculated, from its most atrocious inculcations, to produce widespread and dangerous discontent among the lower floating classes of people. He was arrested under the Sedition Act, speedily brought to trial, convicted, and sentenced to fine and imprisonment. The tribunal before which he had been brought was the appointed exponent of the Constitution and law, and was clothed with supreme jurisdiction in such cases. But Jefferson paid no regard to the facts, the law, or the Court. He pardoned and released Callender, and ordered the U. S. Marshal for Virginia to refund the amount of the fine to which he had been subjected. A letter to Mr. George Hay, the Government attorney, who subsequently prosecuted Burr with such distinguished ability, unfolds Jefferson's opinion of the dignity of courts of law, and evinces in the most emphatic manner the native despotic tendency of his temper and disposition. He therein says, "In the case of Callender, the judges determined the Sedition Act was valid, under the Constitution, and exercised their regular

powers of sentencing to fine and imprisonment. But his Executive (Thomas Jefferson) determined that the Sedition Act was a nullity, under the Constitution, and exercised his regular power of prohibiting the execution of the sentence, or rather of executing the real law." We know of nothing in the civil administrations of Charles the First, of Cromwell, of Napoleon, or of Andrew Jackson, the dictators of modern times, more high-handed, in tone and sentiment, or more pernicious in principle, than such declaration and such conduct from this great model Democratic President. The act of pardon was allowable, and belonged to his office. But a pardon under the circumstances, and with this declaration, was an insult to the Court and an outrage on the supreme law of the land; while the order to refund the amount of fine was a flagrant usurpation of undelegated power. By the same rule of construction he might just as well have directed that Callender should receive every dollar in the Treasury. It so happened, too, that, in the end, Jefferson was caught in his own trap. This low-minded Scotchman, like all other minions and parasites, had his price, and repaid all this official liberality by the basest ingratitude. He had scarcely been released, or purged of the dungeon's stench, before he applied to be made postmaster at Richmond. This Jefferson flatly refused to do, but, at the same time, tendered the hardy and beggarly applicant with a loan from his private purse. Callender accepted the loan, but, dead to all the decencies of life, and fretting with disappointment (though complimented by his eminent patron as being "a man of science"), he no sooner pocketed the money, than in mean revenge, he published to the world that Jefferson had been his adviser and patron in all his scurrilous attacks on the two preceding administrations, had furnished him the

means of printing "The Prospect," and had encouraged him to all he had undertaken in his career of political piracies. This act of treachery, coming from a genuine nursling of unadulterated Democracy, startled even the "great Apostle" himself, and seemed to rouse and ruffle his boasted serenity of temper under personal attacks and vituperation. Jefferson was forced into the defensive, and wrote several letters in explanation of these charges, and in extenuation of his friendly conduct towards Callender.

"If there be any thing," says a distinguished writer, "which is capable of sustaining popular government, and keeping their action within legitimate constitutional boundaries, it is a learned, self-inspecting, independent judiciary. To make the administration of justice, and all questions on the excess of power, dependent on popular excitement, is to assume that mere human passion is the best arbiter of right and wrong." Widely different from this was the opinion of Thomas Jefferson. His doctrines and his example as respects judicial tribunals are highly exceptionable, obnoxious to good government, and dangerous in the extreme. We have seen, in the case of Callender, that he assumed to declare null and void a law constitutionally enacted and approved, constitutionally adjudged, and constitutionally executed. Other acts strictly in unison with this may be easily cited. The case of Duane, another Democratic libeller, affords an exact parallel. During the trial of Aaron Burr, in which *he* was the real, though not ostensible prosecutor, we find him proposing to violate personal liberty, by suggesting to his attorney that Luther Martin, who defended the prisoner with quite too much ability and boldness to suit the purposes of Jefferson, should be arrested as *particeps criminis*, and thus, as he says, "*put down this unprin-*



*cipléd and impudent Federal bull dog.*" No more disorganizing proposition than this was ever made. But a little subsequently to this, we find that, impelled by ungovernable vindictiveness in prosecuting a man who had contested with him the chair of the Presidency, he asked a suspension of that great landmark of freedom, the act of Habeas Corpus. For arrogance similar to this, and for attempting, among other offences, to violate this same sacred shield of personal right, James the Second, more than an hundred years before, had been hurled from the throne of England, and expatriated for the remainder of his life. It will be thus seen that the sufferance of democracies, when conducted by the *popular favorite*, who, while writing speciously of liberty, outstrips the most arrogant monarch in his stretches for dominion, affords, sometimes, an exemplification of passive obedience from which even despotisms might learn a lesson. But the climax of these ink-lings of anarchy may be found in a letter from the model Democratic President to the model Democratic editor, who yet survives to perpetuate his "early lesson," and to favor the world with valuable reminiscences of the epoch of "'98," and the golden age of the Jefferson dominion. In a letter from Jefferson to Thomas Ritchie, found in the fourth of these volumes, we find the following: "The Judiciary of the United States is a *subtle corps of sappers and miners*, constantly working under ground to undermine the foundation of our confederated Republic. *We shall see if they are bold enough to make the stride their five lawyers have taken. If they do, then, with the editor of our book, I will say, that against this every man should raise his voice, and more than that, should lift his arm.*" This completed the series of what may be properly termed the Jeffersonian threats. In 1798 he



argued closely, in the celebrated Kentucky Resolutions, to prove that the *people* might resist the Executive Department. He had done this once before, in the time of Washington, by favoring the Whiskey insurrection. In 1801 we have seen that he menaced the Legislative Department with "an armed force," to "*compel*" a choice of himself as President. And now, in his old age, he winds up by instructing an apt disciple to "lift his arm" against the Judiciary, the only remaining branch of the Government.

The figurative epithet here applied to the Supreme Court shows emphatically the abhorrence with which Jefferson regarded that august tribunal. The political reader may chance to be reminded, in this connection, of the high dudgeon which a certain distinguished Senator manifested on a recent occasion, when, in his place, he denounced another distinguished personage for having characterized modern Presidential candidates as "*prize-fighters*." It is barely probable that, notwithstanding their acknowledged erudition, neither of these eminent individuals knew of this illustrious precedent example in the vocabulary of political billingsgate, else the first, a model professor of genuine Jeffersonism, might have refrained from the assault, and the last, a mild and equable member of the body thus reviled, would have been able effectually to shelter himself with a lawyer's most valued plea, though he flatly disclaimed the construction applied to his apt figure.

### PART III.

AMONG all the men of the Revolutionary era, Jefferson is solitary and alone in the propagation of the pernicious doctrine of *armed resistance* to constituted authorities. They are doctrines, however, not greatly to

be wondered at in a disciple of Jacobinism, who thought that a rebellion, once in every twenty years, was a political blessing, and treated such as nothing more than a natural exuberance of patriotism, a rekindling of the smouldering fires of liberty. But the evil influence of such teachings, in connection with one yet so revered as the father of progressive democracy, is felt and seen to this day. It was exhibited clearly in the conduct of *one*, who, in long after years, was folded in the mantle of Jefferson, and almost adored as his representative and worthy successor. The known contempt of the great apostle of Democracy for the dignity of constituted authorities, and especially for that of judicial tribunals, was a *carte blanche* to all the vandalic excesses and frantic political conduct which, in many distinguished instances, have since been practised by his partisans. Andrew Jackson had need to appeal to no higher authority than the opinion of Jefferson, when, with the boldness of a Cromwell, at the head of a devoted soldiery, he imprisoned a judge in the midst of a great city, for daring to sustain the right of Habeas Corpus. And again, in 1834, when, as the sceptred dictator of the White House, he sent his famous Protest Message to the Senate, claiming that *he* was the direct representative of the *American People*, and imposing silence on Congress as regards the acts of the Executive, he had found enough, in the teachings of Jefferson, to sanction his haughty usurpations. By these teachings the Constitution had been reduced to a mere charter of *expediency*, to be set aside in certain *emergencies*, and of this *expediency* and these *emergencies* the President was to be the *sole* judge. And here we may pause to say, that the great constitutional speech of Daniel Webster in answer to this Protest, and in crushing refutation of these nefarious preten-

sions, should be stereotyped on tables of gold, and blazoned in lasting characters on the official record-book of the Republic.

The power and political influence of the Federal party terminated, along with the Federal administrations, in March, 1801. It has never since been resuscitated. But the truth of history must extort the admission, that Federal men originated, framed, and carried into successful practice the Constitution of 1789, the first genuine republican experiment ever ventured. But this is not all. The period during which the Federalists held the ascendancy in the administration of the national government, was one of no ordinary trial. The system itself was a novelty, founded in the midst of dissentient opinions, and established in the face of powerful opposition. Its parts were to be adjusted and arranged, its proper attributes and limits settled and defined, the relations of the individual members with the whole to be harmonized, and the great and complicated machine to be set in motion. Besides the necessity of thus creating from a mass of disorganized materials the framework of society itself; of devising a system of finance by which, from a family of States hitherto unused to any general and common system, revenues should be raised, bearing equally upon all, and capable of meeting debts of extraordinary magnitude for a people whose numbers were limited, whose resources had not been developed, and who were already exhausted by a long and expensive war; of adopting plans of State policy under novel circumstances and relations, expansive as the growth of the nation, and to be permanent as its existence; of embodying laws; of rebuilding commerce from its wrecks, and calling forth arts and manufactures where they had been unknown; besides all these, there were still other obstacles in

their path. Almost coeval with the birth of the American Government, commenced a series of wars which, in extent, magnitude, objects, and in impressions on the political world, were the most gigantic in the history of bloodshed. Institutions, hoary with age and venerable from their sanctity; empires which had seemed as permanent as the existence of man; despotisms, whose iron grasp had for centuries stifled the very breathings of liberty; laws, and usages stronger than laws, which, for good or evil, had moulded men after their own fashion; priestcrafts and castes, obeyed by prescription, were at once swept away before the whirlwind of revolution. The effects of this convulsion had not been confined to the shores of Europe or the East. They had extended to America, also. Here, meanwhile, the same opposition which had exerted itself against the formation of a government, was continued against its operation. It was with mutiny in the crew that the Federalists had to steer the ship of state through the dangers of an unexplored ocean, in this most tremendous storm which ever devastated the civilized world. Every measure which might tend to a development of the power of the General Government, was resisted. Every embarrassment was thrown in the way of its action. The impatience which naturally arises from new burdens was taken advantage of, though their object was to pay the price of freedom itself. Sedition was stirred up to resist them. Falsehood and misrepresentation were employed; distrust excited against tried and firm patriots. And yet, through all these shoals and quicksands the two Federal administrations had been fortunate enough to keep their course harmlessly, and the Government was sustained in all its original purity. The Constitution remained intact and un mutilated in a single feature. No emergency had



been so pressing, even through storms of insurrection and the most difficult diplomatic negotiations, to create, in the opinion of Washington or of Adams, any necessity to overstep the prescribed limits of the law. It remained for the Democrats, under the advice of their anti-federal leader, to find out that occasions might arise to justify the President in acting independent of the Constitution, as we shall soon see. Indeed, it is a fact in the history of the Democratic party, no less true than remarkable, that, notwithstanding they have ever claimed to be, *par excellence*, the party of strict construction, it has so happened that every one of the four Presidents who have been elected from their ranks (Van Buren, perhaps, excepted) have violated leading features of the Constitution, and grasped powers which can belong only to despots. This charge has never been made against either the two Federal, the two Whig administrations of Madison and John Quincy Adams, or the *no-party* administrations of Monroe and Tyler, if we except the Alien and Sedition Laws of 1798. It may be remarked, however, that these laws, if unconstitutional and odious, must be laid at the door of the Congress which passed, as well as of the President who approved them. The Executive *assumed* nothing. It only put in execution a law of the people's representatives. But the history of republics does not furnish three bolder innovators on written constitutions than Jefferson, Jackson, and James K. Polk.

The great achievement of Jefferson's first four years of dominion was the purchase of Louisiana. This transaction is connected with many incidents of singular political history, to which, as illustrative of public feeling and opinion at that period, it may not be inappropriate or unseasonable to advert. When Jefferson ascended the Presidential steps, he was regarded with



strongly contrasted feelings by the two great parties of the country. By his own, he was represented as the advocate of religious freedom and of the rights of man; the great apostle of liberty; the friend of our revolutionary ally, France; the foe of British influence; a reformer, philosopher, sage, and genuine republican. The Federalists looked on him in a far different light. They charged him with being a revolutionist and Jacobin; with being blindly devoted to France, and perversely opposed to England; with being hostile to the Constitution, and the promoter of partyism; with being a free-thinker in politics and religion, whose learning was used to pervert rather than to uphold the landmarks of virtue and liberty. They argued that his messages and his writings prove him to have had in view, through his entire political and administrative career, only three great purposes, and that his whole efforts and influence were directed to their accomplishment. These were, say they, the aggrandizement of France, the humiliation of England, and the demolition of Federalists as a party, and the *expatriation* of all who held that faith. There can be very little doubt that Jefferson was liable to all three of these charges. But it is not for us rashly to say that the aggrandizement of France, or the humiliation of England, were the *sole* objects of his foreign policy, or that the annihilation of Federalism was his chief object at home. The purchase of Louisiana, or rather the circumstances attending that purchase, have been cited as evidence of the first proposition, and, collaterally, of the second. The same may be said, reversely, of the embargo and non-intercourse laws. It is with the first of these that we have now to do, and the facts premised will enable the reader to understand more clearly, and to apply as he may deem proper, the historical incidents belonging

to that transaction. But we must here remark, that the purchase of that territory was the *first* of those violent shocks which the Constitution has since repeatedly sustained under Democratic administrations. The blows have been sedulously followed up since, and all the agitation which ever distracted the country, or seriously threatened its peace, has grown out of this Democratic principle and practice of territorial aggrandizement. Louisiana, Texas, California, and New Mexico have come to us, for weal or for woe, through Democratic agency, and as on them must rest the responsibility and consequences of their annexation, so, likewise, let them have the credit for what benefits have ensued or may yet ensue. But the Constitution is not healed, its infractions are not extenuated by pointing out and pleading the benefits, commercially and politically, that have followed from the purchase of Louisiana. The wound has been inflicted, and the gap fairly and widely opened for future aggressions of a similar character. The sanctity of the instrument has been repeatedly and roughly violated, and no one is able to tell or to foresee where the mischief will end, or how far the precedent may be abused by subsequent acts. History too truly teaches that the illegal or unconstitutional exercise of power in the best of times, for the real benefit of the people and with their silent acquiescence, has hardly ever failed to be resorted to, as a precedent, in the worst of times and often for the worst party or selfish purposes. Recent political events, under the administration of President Polk, afford, to our own eyes, a most striking confirmation of the truth of the lesson.

The years 1762-63 were marked by fierce struggles on the American continent between England, France, and Spain. During the first year France ceded to

Spain the island of New Orleans and all her possessions west of the Mississippi river, and the name of *Louisiana* was thus limited to that part of the valley. After the close of the Revolutionary War, in settling the boundaries of the United States, some contentions arose between our own and the Spanish Government, especially as regarded the free navigation of the Mississippi. These differences were not adjusted until 1795, when, during the administration of Washington, his Catholic Majesty agreed by the treaty of San Lorenzo, that "the citizens of the United States shall be permitted, for the space of three years from this time, the navigation of the Mississippi, with a right to deposit their merchandise and effects in the port of New Orleans." From several causes, however, this treaty was not fulfilled until 1798, and, most probably, but for a change of administration here, a war between Spain and the United States would have been the consequence. In 1796 Spain and the French Republic formed an alliance, offensive and defensive; and at that time France began a series of negotiations with a view to the recovery of her ancient province of Louisiana. This was not effected till 1800, under the consulate of Napoleon, when, by the treaty of St. Ildefonso, Spain retroceded to France the colony of Louisiana, with the boundaries it had when given up to Spain in 1763. Spain, however, still continued to exercise, nominally at least, the powers of government in the country, and in 1802 the Intendant of the province gave notice that American citizens would no longer be permitted to deposit their goods at New Orleans, and this, too, without assigning, as by the terms of the treaty of San Lorenzo, "any equivalent establishment at any other place on the river." This extraordinary violation of national faith was followed up by acts of the most offensive nature. The Spaniards cap-

tured and carried into their ports numbers of American vessels, destroyed or confiscated American property, and imprisoned the American Consul. This conduct very justly excited the most wide-spread indignation among our western citizens, and many threatened to march down the country, and take forcible possession of New Orleans. These outrages occurred long anterior to the assembly of Congress, in December, 1802, and yet, strange to say, the executive message was entirely silent on the subject. In January, 1803, the House promptly called for information concerning so delicate a matter, and this brought the fact of treaty violation on the part of Spain officially to light. A message was debated with closed doors, which, as Jefferson must certainly have known of the outrages before the session began, leaves us to deduce questionable and unfavorable opinions of his conduct. It certainly was strange and unaccountable, indicative of but little spirit, and shrouded with a politic caution and forbearance that would have done honor to Louis the Eleventh.

When redress for these wrongs and a compliance with treaty stipulations were demanded of Spain, the American minister was informed that Louisiana had been ceded to France. Jefferson then asked for two millions of dollars, and set on foot a negotiation for the purchase of "New Orleans and the provinces of East and West Florida." Mr. Monroe and Mr. Livingston were joined in the mission, and set out immediately for Paris.

About the time of the arrival of the American Envoys, Great Britain began to manifest symptoms of alarm at the ambitious projects and growing power of Napoleon, and particularly in his acquisition of Louisiana, and the contemplated possession of that exten-



sive country with a large army. With this view the fleet and troops under General Victor, destined for that country, were kept so long blockaded that they were finally disembarked, and turned to a different service. The inventive genius of Napoleon suggested an immediate remedy. He found that it would be impossible for him to occupy Louisiana, and he therefore resolved to exchange it for money, which France needed far more than she needed transatlantic territory. The fitful peace of Amiens was drawing to its close, and the bad faith of England was about to plunge Europe into a war that laid low all the Continent, that crippled her own power and nearly exhausted her means and credit, and that carried death and devastation in its track through a long series of well nigh fifteen years. So soon as the French Emperor had resolved on his course, he convoked his counsel, and announced to them the approaching rupture. This was early in March, and Mr. Monroe had not then joined Mr. Livingston, our Minister resident in France. The designs of the Emperor are unfolded by the characteristic speech made to his confidential advisers, and seem strikingly to comport with the subsequent testimony of John Randolph, "that *France wanted money, and must have it.*" "I will not," said Napoleon, "keep a possession which would not be safe in our hands, which would perhaps embroil me with the Americans, or produce a coldness between us. I will make use of it, on the contrary, to attach them to me, to embroil them with the English, and to raise up against the latter, enemies who will one day avenge us, if we should not succeed in avenging ourselves. My resolution is taken; I will give Louisiana to the United States. But as they have no territory to cede to us in exchange, I will demand a *sum of money towards defraying the expenses* of the



*extraordinary armament* which I am projecting against England." This declaration was made in March, only a few days after the memorable scene with Lord Whitworth, the English Ambassador to France. With his usual impetuosity, the First Consul sent Marbois directly to Mr. Livingston, with instructions to open negotiations forthwith, concerning the purchase. Accordingly, when Mr. Monroe arrived in Paris, he found the business to his hands, and that, instead of the island of New Orleans and the small territory of East and West Florida, alone, Napoleon was offering to cede the whole extensive territory west of the Mississippi. This was a most startling proposition. The American negotiators were confined by certain minute instructions, and limited as to the amount to be expended. But Napoleon, bent on war, and eager for the strife, urged them to a speedy conclusion of preliminaries; and on the 30th of April the bargain was struck, and for a consideration of fifteen millions of dollars, Louisiana was transferred from the dominion of France to that of the United States. Early in May, the peace of Amiens was terminated, and Napoleon, having thus supplied his chests, opened the scene of those bloody wars which shook Europe to its deepest foundations, blasted the commercial prosperity of the world, and ended with the total humiliation and subjection of France, while his own life was wasted away on the friendless shores of St. Helena.

The acquisition of this territory was a perilous and most extraordinary assumption of undelegated power by one who claimed to be a model Democrat and a strict constructionist. It was seriously condemned, *on principle*, by all the opponents of the administration, among whom John Randolph, of Roanoke, already dissatisfied with the Jeffersonian policy, now took the

most prominent position. The main grounds of their opposition were, that the French title was contingent only, that the undefined boundaries would furnish a cause for future contentions, that a fraudulent title had been obtained from Spain through the Godoy ministry, which might subsequently be disavowed and repudiated; that Louisiana was not then in the actual possession of France but of Spain, which latter objected to the arrangement, and that the increase of Executive patronage consequent on so vast an acquisition would render the President almost a despot. But there were higher grounds of opposition than these, and they are grounds which still exist in principle, and are impregnable to argument. These grounds are founded in the Constitution of the United States. When the treaty was submitted to the House of Representatives for the purpose of having it carried into effect, the question as to the *constitutionality* of that part of it which stipulated for the admission of the country into the Union, was made and warmly debated. It was conceded that foreign territory *might* be acquired either by conquest or by purchase, and then retained as a colony or province; but could not be admitted as a *State* without an amendment of the Constitution. It was argued that the Government of this country was formed by a *union of States*, and the people had declared in the preamble that the Constitution was established "to form a *more perfect union*" of the "United States." The United States here mentioned could not be mistaken. They were the States then in existence, or such other new States as should be formed within the limits of the Union, conformable to the provision of the Constitution. Every measure, therefore, contended the opposition, which tends to infringe the present Union of the States here described, was a clear

violation of the very first sentiment expressed in the Constitution. The incorporation of a foreign territory into the Union, so far from tending to preserve the Union, was a direct inroad upon it; because it destroyed the "perfect union" contemplated betwixt the original parties by interposing an alien and a stranger to share the powers of government alike with them.

Pressed by arguments of this kind, and by the opinions of Jefferson himself, those who advocated the treaty took medium grounds, contending that the treaty merely *stipulated* that the inhabitants of the ceded territory should be hereafter admitted into the Union, according to the *principles of the Constitution*; that by taking possession of the territory it did not necessarily follow that it must be admitted into the Union; that *this* would be an after question; that the territory would not be admitted into the Union unless warranted by the *principles* of the Constitution. But they were met by the answer that there was no difference, in principle, between a direct incorporation and a *stipulation* that such incorporation should take place; because, as the national faith was pledged in the latter case, the incorporation *must* take place; that it was of no consequence whether the treaty itself gave such incorporation, or produced the *laws* which gave it; and that the question still returned whether there exists, under the Constitution, a power to incorporate a foreign nation or people into the Union either by a treaty or by law. Latter experience, we may here remark, *en passant*, has afforded the ground of proposing as a further query, whether such can be done by a mere *joint resolution* of the Senate and House of Representatives, independent of the treaty power under the Constitution, and in utter disregard of the two-thirds rule! And yet this was done by the

same legitimately descended radical Democracy in the case of Texas, which, in our humble opinion, has about as much *Constitutional* connection with this Union as Cuba or Liberia.

But it is no less singular than true that Jefferson himself confessed, to the fullest extent, to the unconstitutionality of such acquisition of territory, or of its admission into the Union as a State. He admits that the Constitution will bear no such latitudinous construction, yet recommends the adoption of the treaty, and afterwards, the incorporation of Louisiana into the Union. The volumes before us contain divers letters illustrative of this inconsistency between theory and practice, and explanatory of so strange an anomaly. He addresses Lincoln, and Breckenridge, and Nicholas particularly, arguing most conclusively against the constitutionality of the very act he had recommended, and which he resolved to sanction as President. In one place he puts the question in its strongest light by saying, "I do *not* believe it was meant that we might receive England, Ireland, Holland, &c., which would be the case on your (viz., the Attorney General's) construction." If not these, it might be asked, how will we admit Louisiana; or, if Louisiana, why not England, Ireland, and Holland? It is evident that if the clause of the Constitution can be construed so as to admit one, the same rule of construction will cover the admission of all; or, *vice versa*, if one be excluded by the Constitution, all are excluded. That posterity to which Jefferson is so fond of appealing, and which has witnessed each successive onslaught and partisan foray on the Constitution which have grown out of and been justified to the people, from this precedent and this conduct of the great Democratic apostle, must judge also how far the first comports with the clause of the



Constitution specifying that new States "may be admitted *by Congress*," and another clause binding the President *on oath* to protect and *defend* the Constitution of the United States." We have only to remark that if *Congress* be the power to admit new States, it is clear that such States can be formed only out of territory belonging to the United States at the time the power was given, for, by the same Constitution, the Congress cannot, in any manner, approach a foreign government. This is a prerogative of the President and Senate. As respects the inconsistency of Jefferson's conduct with his opinions, and then these with respect to the form of obligation prescribed to be taken by the President on his accession to that office, candor demands nothing short of severe censure. The Constitution is not to be made subordinate to *expediency*, and an upright officer *must* respect his oath, if we would desire to steer our political course in harmony and safety. If the Rubicon is passed, Rome must lie at the mercy of the dictator. She will have nothing to shield her from indignity; for that is the sacred boundary. Neither will fancied or prospective benefits justify a departure from the plain letter of the Constitution, or from the stringency of official obligation. Every President might constitute himself a judge, and frame, in this manner, a pretext for any conquest or any expenditure of the public money. As illustrative of this we might point to the successive innovations which have followed the acquisition of Louisiana. The Floridas, Texas, California, and New Mexico were all the natural fruits of this first spurious blossom. The late President, fortified by illustrious examples and precedents, pursued an unscrupulous course of conquest with scarcely a decent pretext, expending millions of money, and destroying thousands of men, and in defiance of

the inevitable consequences of civil discord and sectional agitations. Since 1803 the country has scarcely been five years in repose. It has been torn and distracted by ill-boding dissensions. The tone of public sentiment has been infected. It has been poisoned with the thirst for some species of political excitement. At the North, the Canadas afford fruitful sources for indulgence in this vicious propensity. At the South, since Texas has been annexed and since Mexico has been subdued and pillaged, Cuba has become the centre of this dangerous attraction, and sooner or later must share the fate of the two former. The public taste of both sections seeks gratification only in this species of furor. We are constrained to say that all this is justly chargeable to the example of Jefferson, and whether it bring weal or woe, his fame must answer to that posterity to which he appeals.

The great mass of the people, however, were agreed as to the importance of this acquisition of Louisiana, and all must acknowledge that, bating the wounds inflicted on the Constitution, its purchase has resulted in incalculable benefits to the United States; thus Jefferson was so fortunate as to find, that an act which might have called for impeachment under some circumstances, has been regarded as the most meritorious of his public career. So much, we perceive, is the world governed in its public conduct, by considerations, rather of interest and policy, than of conformity to established rules of law.

But it is not to be disguised that, in his haste either to accommodate France, or to avoid a collision with Spain, Jefferson suffered the purchase to be, in some sense, unwisely concluded. In the first place, the sum of fifteen millions was probably thrice as much as needed to have been given, because Napoleon knew, at the

time of the purchase, that on the renewal of war in Europe the whole country of Louisiana would be taken possession of by the British, and consequently be lost both to France and to Spain. In the next place, the treaty was glaringly imperfect from the fact that no definable or tangible boundaries had been fixed or agreed on as respected the territory transferred. Consequently, Spain being exasperated any way, a state of hostility betwixt her own and the cabinet at Washington soon sprung up in relation to the legitimate boundaries of Louisiana. The United States claimed to the river Perdido, east of the Mississippi, and to the Rio Bravo on the west. But the negotiation under this mission entirely failed. The Spanish Court not only denied the right of the United States to any portion of territory east of the Mississippi; but, in the most peremptory manner, declared their claim to the Rio Bravo to be totally unfounded. A long and angry correspondence took place between the Spanish negotiator, Don Pedro Cevallos, then Secretary of Foreign Affairs, and the American Ministers. In the negotiations with France respecting the purchase of Louisiana, Mr. Monroe and Mr. Livingston had been given to understand that the territory extended as far east as the Perdido, and that the town of Mobile would fall within the limits of the cession. And we may also here observe that at the same time Bonaparte had given verbal assurance, that should the United States desire to purchase the Floridas, his aid towards effecting that object would be readily afforded at some future suitable time. In consequence of this intimation, Mr. Monroe, while at Paris, in 1804, made known the object of his mission in a note to Talleyrand, and requested aid of Bonaparte agreeable to his former assurances. But, in the mean time, a change had come over the spirit of the French

Emperor's policy. The means acquired in 1803 by the sale of Louisiana had been totally exhausted by his subsequent wars, and he was now again pressingly in need of money. He therefore made a convenience of short memory, and not only professed total forgetfulness of all such assurances, but gave unmistakable signs of a favorable disposition towards Spain. This, however, was one of those artful demonstrations, or feints, so often and so consummately practised by Napoleon, in the accomplishment of his ambitious designs. Spain was indebted to France. France was in need of money, and Spain had no money with which to pay her debts. He therefore once again resolved to make the United States subsidiary towards raising means for the prosecution of his European conquest. With this view, during the negotiation between Spain and the United States respecting the boundaries of Louisiana, a certain paper in the handwriting of Talleyrand, but not signed by him, was put into the hands of the American Minister at Paris. It required but little acquaintance with French diplomacy to gather a full clue to the designs of the Emperor from this paper. It set forth that the present was a favorable time for the United States to *purchase* the Floridas of Spain; that the same could probably be obtained; and that Napoleon would assist the United States by using his influence with Spain to induce her to part with them. It was also suggested, in the same indirect way, that in order to insure a favorable result, the United States must assume a hostile attitude towards Spain, and put on the appearance of enforcing their claims. These singular and indirect communications were, of course, made known to the American President; and Jefferson, with unaccountable deference to such questionable advice, embodied the same in his message to Congress. After going through



with a concise preliminary statement of the matter in dispute, and with divers hints as regarded the probable dispositions of France in case of hostilities with Spain, he adopts almost the precise language of the anonymous paper when he says, "*Formal war* is not necessary, and will not probably follow; but the protection of our citizens, the spirit and honor of our country, require that *force* should be interposed to a *certain degree*. It will probably *contribute* to advance the object of peace. But the course to be pursued will require the command of *means*, which it belongs to Congress exclusively to yield or deny." It will be perceived that this message covers every design, and answers the whole purposes of Napoleon. His advice was scrupulously followed, though given quite exceptionably; hostilities were threatened, and Spain was bullied. The "*means*" were what the Emperor wanted, and he resolved to coax and dally with the United States, and to intimidate Spain, that the first might furnish to the last money enough to extinguish her indebtedness to France, and thus enable him to prosecute his series of conquests.

In consequence of this message, Congress voted two millions of dollars that Jefferson might purchase the Floridas. But the appropriation was not made in quiet. It met with the most resolute opposition. John Randolph openly denounced it as subserviency on the part of Jefferson to the Emperor of France, and then made public, for the first time, that, on his arrival at Washington, the Secretary of State had told him, "*that France wanted money, and that we must give it to her, or have a Spanish and French war.*" Randolph was the Chairman of the Committee to whom this message was referred. He opposed the two million appropriation on several grounds, all, as we think, equally cogent and reasonable. The money had not

been *explicitly* asked for in the message;—that, after the failure of negotiations based on *right*, to purchase the territory would be *disgraceful*;—that France, thus encouraged, would never cease meddling with our affairs, so long as she could extort money from us; and, that the Floridas, as he thought, and as France had *at first* admitted, were regularly ceded to us at the time of the Louisiana purchase, and, therefore, France was bound to make good her word and our title. But opposition availed nothing. The money was appropriated, and it is certain that the same never reached Spain. On the contrary, it is a fact of history, that it was carried to Paris on board the United States ship *Hornet*, and passed into the coffers of Napoleon. Not a foot of territory, as the facts of the case will clearly demonstrate, was acquired by this appropriation. In fact, it may be safely inferred that, having stopped it in Paris on a claim that Spain owed France, Napoleon used it to subjugate the very power to whom it was justly due, if due at all, and to whom it should properly have been paid.\*

Anterior to Jefferson's Presidency, the Constitution of the United States, administered by those who aided in its compilation, had been found to answer its purpose

\* The treaty of the cession of the Floridas, concluded at Washington 22 February, 1819, between Spain and the United States, having been ratified on the one part by the King of Spain, and by the President of the United States on the other part, possession was taken of these provinces, according to treaty. On the first of July, General Andrew Jackson, who had been appointed Governor of the provinces of the Floridas, issued a Proclamation, declaring, "that the government heretofore exercised over the said provinces, under the authority of Spain, has ceased, and that of the United States of America is established over the same, that the inhabitants thereof will be incorporated in the union of the United States, as soon as may be consistent with the principles of the federal constitution, and admitted to the enjoyment of all the privileges, rights, and immunities of the citizens of the United States.—*Holmes's Annals*, vol. 2d, p. 495.

without being subjected to violent constructions, or rather to flagitious misconstructions. It was founded in genuine republican principles, and one of the greatest errors of republics was sought to be avoided. This was territorial acquisitions and extension. If other than the original limits of the original Thirteen States had been contemplated in its provisions for territorial governments, a line added would have closed the question and settled the point forever. This was not done, and the obvious inference is, as Jefferson himself argued, that no foreign territorial acquisition was ever anticipated or provided for by the framers of the Constitution. The only clause which the radical and progressive democracy can claim, on which to rest their policy of territorial extension, is the clause which declares that Congress *may* admit new States. We have even thought this a strained interpretation, and a bad argument. All the rules for construing language with which we are acquainted, lay down, as the first principle, that a sentence must be interpreted connectedly, and all its parts brought into a harmonious whole, if we would seek its true meaning. We cannot arrive at its meaning by construing only detached portions, or clauses of a clause. The postulate in this instance is destroyed by applying the rule to which we have referred; for the latter portion of the clause relied on by the democracy affords a key by which the first may be fully understood. "New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor *any State be formed by the junction of two or more States or parts of States* without the consent of the *Legislatures* of the *States* concerned, as well as of the Congress." \*

\* Const. U. S.

The first part of this sentence, granting the power, is governed by the latter clauses, defining the manner in which States are to be formed, if it is governed at all; and if it was not intended to be thus governed, the two parts of the whole clause should have been disconnected by something else than a mere semicolon. Nor is it reasonable to suppose that the "Legislatures" spoken of were foreign Legislatures; for this government cannot prescribe for foreign Legislatures. Immediately succeeding this is the clause giving to Congress the care and regulation of the "territory" and "other property *belonging* to the *United States*," which concludes by declaring "that nothing in this Constitution shall be so construed as to prejudice any *claims* of the United States, or of any particular State." This can refer only to negotiations for territory between the United States and "particular" States of "this Union." Neither of these could well have conflicting "claims" to the "territory or other property," of any other country than this.

We shall not dwell longer on this branch of the subject. These are briefly our views of Constitutional construction. It will be seen that Jefferson himself had previously urged the same doctrine, though his conduct clearly belied his inculcations, and this, too, in the face of his official oath. An example so pernicious, traced to a person so revered as a Constitutional expounder by a great and powerful party who profess to own his principles, cannot be too severely or too unqualifiedly condemned. A life of action, it is true to some extent at least, must be a life of compromise, if it is to be useful. A public man is often under the necessity of consenting to measures which he disapproves, lest he should endanger the success of other measures which he thinks of vital importance. But



the historiographer lies under no such necessity, and we feel it to be a sacred duty to point out the errors and to condemn the malfeasances of one who yet exercises a baneful influence on the mind of the country. Nor do we conceive that Thomas Jefferson is entitled to the charity of this rule when adjudging his public conduct. From 1792 until his election to the Presidency, he had been particularly addicted to inveighing against the slightest Constitutional departures in others. He had thus well nigh succeeded in bringing temporary disrepute on certain measures of Washington's administration, and had stirred up against that of the elder Adams such a storm of popular indignation as was satisfied only with the overthrow of Federalism, and which even yet exists in common connection with his name and his party.

This is, as we have remarked, only the first of those glaring infractions of the Constitution which marked the dawn of the Democratic administrations, and which have since continued to distinguish the Democratic successors of the great Apostle. We have yet before us the task of narrating others of a similar character, which must, in the minds of some, at least, diminish the hitherto overshadowing and undisputed claims of one distinguished by the superior reverence of his countrymen. This must be reserved for a future number.

The effects of a change from good government to bad government, says a great essayist, are not fully felt for some time after the change takes place. The talents and virtues which a good Constitution generates may, for a time, survive that Constitution. Thus the administration of Thomas Jefferson, notwithstanding its assaults on vital features of the Constitution and its approximation to the calm of despotism, is generally

regarded as the golden age of genuine Democratic government. Thus, also, do the reigns of princes who have established despotisms by means of their personal popularity, and supposed subserviency to the popular will, shine in history with a peculiar brilliancy. During the first years of tyranny is reaped the harvest sown during the last years of liberty. The Augustan age was rich in great minds formed in the generation of Cicero and Cæsar. And yet, says Macaulay, most aptly, the fruits of the policy of Augustus were reserved for posterity. So, also, to bring the matter home, the age of Jefferson, Madison, Monroe, and John Quincy Adams, was rich in minds formed in the generation of Washington. The fruits of this reign of liberty were fully reaped during the dictatorship of Andrew Jackson. In the time of Jefferson, such was the prestige of his name in connection with Democracy, the masses of the people could not be made to understand that liberty and the Constitution might be seriously endangered by his example. The effects of this example were effectively checked by the conservative administrations of Madison, Monroe, and the younger Adams, two of whom were recognized as prominent leaders of a great party, which was fast rising on the ruins of Federalism to oppose the anarchial tendencies of the radical Jeffersonian Democracy. But under the iron dominion of Andrew Jackson, on whom, as we have said, the mantle of the great Apostle had fallen, the whirlwind of Jacobinism rose to its height, and for eight years the country bowed submissively beneath the rule of a fierce spirit, whose pernicious impulses were never controlled by considerations of prudence or of consequences. In our next we shall enter on a period of the Jefferson administration, if not more important, at least more entertaining in point of historical

incident, and which serves to illustrate, equally with the acts just narrated, the deleterious influences of Jefferson's example in politics and his administration of the Federal Government.

#### PART IV.

WE now enter on a period of Jefferson's administration which excites intense interest and curiosity, and has connected it with the fortunes of a man whose great talents and address had foreshadowed for him a reputation of the most enviable exaltation, when the path to renown was crossed by his evil genius. That man was Aaron Burr, and his evil genius was Thomas Jefferson. It was a grapple between giant champions, whose resources of mind were too vast, and whose enmity, mutually and bitterly entertained, was too deeply rooted to terminate the struggle with other than appalling consequences to one party or to both. In one case, however, mind was aided by power and vast political and official influence, and, as might be supposed, these united, overwhelmed the weaker antagonist.

Aaron Burr was a native of the State of New Jersey, and one of the early graduates of Princeton College. His earliest exhibitions of character pointed to those traits which were afterwards developed in his eventful career. He was impetuous, restless, persevering, and wilful. Soon after graduating, he joined the Revolutionary army, under Montgomery and Arnold, and accompanied those generals in their awful and dreary march across the wilderness to Quebec. His indifference to fatigue and hunger, and his strict impartiality as an officer, sharing with his soldiers the privations of the march, and openly condemning an opposite conduct in Arnold, gained him the admiration and

deep affection of the men, while it elicited the commendation and respect of a majority of the officers. After the siege of Quebec was formed, Burr volunteered his services as aid to Montgomery, and was by that officer's side when he fell. He caught the dying patriot in his arms, and in defiance of the storm of grapeshot which roared around, maintained his post of affection and duty until proper assistance was obtained. Burr was the only one of Montgomery's suite who escaped on that fatal day.

Returning from Canada, he became an inmate of Washington's military family, at head-quarters near New York, and participated in all the actions which occurred between the American and British armies around that city. But his intercourse with the Commander-in-chief soon became restrained and unpleasant, and resulted in a mutual personal aversion, which lasted during Washington's lifetime, but for which no particular reason was ever assigned. In consequence, when the disaffection broke out against Washington among the army officers in 1777, and it was contemplated to supersede him with Gates, Burr actively and openly took sides with the latter. This opposition, added to previous unpleasant passages, only served to increase Washington's prejudices. In long subsequent years, during the first Presidency under the Constitution, this dislike was bitterly evidenced, and the depth of Washington's aversion fully developed. A deputation of the Democratic members of Congress, appointed by a caucus, thrice waited on the President, with a request that he would appoint Burr Minister to France. They were thrice peremptorily refused, Washington declaring each time that he would never appoint one to office in whose integrity he had no confidence. This anecdote should not, however, be rashly taken as irrevocable and infal-



lible evidence against Burr. It was known that, from the first, Burr had expressed himself freely and harshly as to the qualifications of the Commander-in-chief, that he had condemned his movements around Long Island and New York, and that he had severely criticized the plan of the battle of Monmouth, in which battle Burr commanded a brigade in Lord Stirling's division. These facts were well known to Washington, as well as the partiality entertained by Burr for Gates; and, in the absence of any tangible cause ever assigned by the General or his friends, we are forced to conclude that a shade of personal pique and rancor may have influenced the usually strict and admirable equanimity even of this illustrious and revered personage. He would, indeed, have been more than mortal, could he have entirely subdued all such feelings—feelings common to the best as well as to the worst of men.

In March, 1779, Burr tendered his resignation to the Commander-in-chief. It was accepted by Washington, in a letter the most complimentary and flattering to Burr's military ambition. He subsequently was admitted to the practice of the law in Albany, and in the spring of 1782 was married to Theodosia Prevost, widow of Colonel Prevost of the British army, and mother of that Theodosia who afterwards became so distinguished in connection with her father and husband, and whose mysterious and melancholy fate, while giving rise to many awful and fanciful conjectures, blighted and crushed the sole remaining earthly hope of her solitary and suffering parent.

The history of Burr's political career in New York and in the Senate of the United States, his contest with Jefferson for the Presidency, and his duel with Alexander Hamilton, are well known to every general reader, and have been elsewhere alluded to in this essay. He

left the chair of the Vice President in March, 1805, and closed his connection with the Senate with one of the most eloquent and affecting valedictories ever made on such an occasion. "The whole Senate," says Mr. Davis, in his memoir, "were in tears, and so unmanned, that it was half an hour before they could recover themselves sufficiently to come to order, and choose a Vice President *pro tem*. One Senator said that he wished the tradition might be preserved, as one of the most extraordinary events he had ever witnessed. Another being asked, the day following that on which Mr. Burr took his leave, how long he was speaking, after a moment's pause, said he could form no idea; it might have been an hour, and it might have been but a moment; when he came to his senses, he seemed to have awakened as from a kind of *trance*."

Bending beneath the weight of heavy afflictions, and pursued, both by the Democratic and Federal parties, with a vengeance that seemed to compass nothing short of his life, Burr, now fallen from his high estate, became a wanderer and a desperado. The envy and rancor of Jefferson were fully aroused against him, in consequence of their recent rivalry, and the Democratic party, of course, sided with Jefferson. He had slain Hamilton in a duel the year before, and the Federal party panted for the blood of their idol's murderer; for as *murderer* he had been denounced and indicted in New York. His mind and temperament were too ardent, and his ambition too insatiable and restless to remain inactive. The domestic circle afforded him no comfort. The charm of his home, once his delight and happiness, had fled. The wife of his youth, the devoted partner of his joys and his adversities, was cold in the tomb. His daughter, sole pledge of their love, was married and removed into a distant State of the South.

His property, suffering for want of attention during his ostracism, had melted away, leaving him distressingly in debt. His early friends avoided him, as one contaminated or proscribed, whose approach was a shadow of evil, and whose touch was death. Professional pursuits were out of the question. Law business was not to be intrusted to a fugitive from the law. Political advancement was forever closed to his efforts. No party would recognize him who was alike abhorred by Democrat and Federalist—the object of Jefferson's hatred, and whose hands were stained with the blood of Alexander Hamilton. Thus bereaved and branded, Burr became another Ishmael. Every man's hand was against him; it was no wonder that his hand should soon be turned against every man. His manner, his conduct, his conversations, his very looks were watched with the eye of suspicion. He fled from the haunts of man and sought the wilderness, in hopes there to create some employment calculated to appease his restlessness, and turn aside the gloomy fate which threatened to overwhelm him. Even here he was not beyond espionage. The friends and parasites of the jealous and inflamed President kept their eyes on him, and sent frequent reports to Washington. If he sojourned at the house of any man, that man was from that day marked. He stayed a short time with General Dayton. Dayton welcomed him as an old Revolutionary soldier, failed to abuse hospitality by communicating with the President, and, as a penalty for his *contumacy*, was subsequently indicted, along with Burr, as a conspirator. It was the same in the case of John Smith. He responded to the invitation of Herman Blannerhasset, who was anxious to join in his land speculations, and paid a visit to the famous island in the Ohio. Blannerhasset, narrowly escaping with life, was afterwards stigmatized

as a traitor, plundered of his wealth, and became a melancholy wanderer. He lounged a few days at the Hermitage, and even enlists its honored tenant in his scheme of invading Mexico, in case of war with Spain. The lion nature of Andrew Jackson had not then been aroused, and the emissaries of Jefferson approached him with monitory voices. They succeeded for the moment, and he writes an anxious letter to Burr. Burr replies to his satisfaction, and then the awakened lion raises his defying mane; and for once the *proscribers* falter, and are ignominiously baffled in their selfish machinations. They succeeded in ruining every body else who had held the remotest connection with this hapless exile.

The Grand Juries of Kentucky twice lodged accusations against Burr. He was honorably acquitted on both occasions. On both of these occasions he was defended by Henry Clay, who was afterwards so far duped by *false testimony* in the hands of Jefferson, as to repent his efforts, and then openly affronted (by refusing to speak to) Burr at the New York City Hall. And yet it is a fact well authenticated that the very document in possession of Jefferson, and on which rested the evidence of Burr's *treason*, had been mutilated by General Wilkinson, and he so acknowledged at Richmond. At this time there was a strong probability of hostilities between Spain and the United States, and it was known that the President had instructed the commander of the forces *to drive* the Spaniards beyond the Sabine. It had become a popular sentiment, even then, that in case war was begun it should end only by the conquest of Mexico. To this project no one was more intensely wedded than Andrew Jackson, as evinced both by a letter to Governor Claiborne, produced by General Wilkinson as an appendix to his tes-



timony on the Burr trial, and by his sympathy with Aaron Burr. Burr was a military man by nature, and his greater ambition was to excel in military achievements. He was more tenacious of his revolutionary than of either his political or professional fame. He was evidently fired with the scheme of invading and conquering so splendid a country as Mexico, with its ancient treasures, its mines, and its magnificent cities; and the more so, that he might thus retrieve his fallen fortunes. He was not friendly enough to the Government to ask or obtain honorable service, with such prominence as he courted, under its direct auspices. His plan, as disclosed on the trial at Richmond, evidently was to raise an independent force, to be near the scene of action, and to be prepared to strike a grand blow on the first opening of hostilities. With this view he must have entered into communication with General Wilkinson; for as that officer was already in high command, and enjoyed the boundless confidence of his Government, Burr was too sagacious to have attempted his seduction, by offering him peril and uncertainty for safety and certainty. This tallies with the *testimony* of General Eaton, not with his inferences. It is not contradicted by that of Commodore Truxton or Dudley Woodbridge, who was to have furnished the boats intended to convey the expedition. Nor would Burr, without a clear understanding with Wilkinson, have undertaken to pass the whole American army with less than one hundred ragamuffins. This project of invading Mexico, under the countenance and not by orders of the Government, was certainly not *intended* as treason, which consists only in "levying war against the United States," or aiding and comforting the enemies of the country. It certainly was a rash and reprehensible movement; and if designed to have

been pursued independently of the Government, it was a punishable offence, but not treason. The more reliable conclusion is that Burr, unfriendly to Jefferson, and bitterly persecuted by him, endeavored to use Wilkinson as an instrument for opening hostilities; for, under his orders, Wilkinson might do this at any time, and thus bring the whole within the shelter of the Government. The plan was to proceed under the apparent authority of the Government, without directly asking its connivance. And if, it may be remarked, General Wilkinson, who was clearly playing a double part (perhaps it might not be unfair to say a treble part), intended to play the traitor towards Burr, it is certain that he played his hand well. Burr never suspected him until after his interview with one Swartwout, whom he had sent to Wilkinson with the letter in cipher. As soon as he had made the discovery, he abandoned the idea, turned attention again to the Washita purchase, and resolved to await a more favorable crisis. This lucky discovery saved his life. Being thus guarded, he directed himself to other projects less questionable. If Burr had been proven to have been at Blannerhasset's island when the boats started down the Ohio, the *overt* act would have been made out, and in all probability the Government would have obtained a conviction.

By this time, however, Jefferson had fixed his talons on Burr, and appearances seemed to justify the conclusion that the blood of his ancient rival would be soon spilled to satiate his jealousy and rancor. He had been informed of Burr's movements months before; but merely to *suppress* the mischief was no part of the tactics he had prescribed for his conduct. Burr was allowed to continue his preparations, and Jefferson looked on supinely, in the hope that some plain act which might be tortured into *overt* proceeding, should have

been unwarily committed. His design was not so much to quell disaffection as to secure his prey. At length a communication from General Wilkinson induces him to believe that the time has come, and he issues the order for the destruction of the boats and property of the expedition at the island, and for the arrest of Burr. The first is done forthwith; and in a short time, the main victim being stopped near Fort Stoddart, on the Tombigbee, is conveyed by a military escort to the city of Richmond, Va., and placed on trial for his life.

The proceedings of this famous trial have been long embodied as a part of the national history. A more important state trial never occurred, not excepting even that of Warren Hastings. All that was interesting or romantic in Burr's previous history—all that could charm the fancy in connection with Blannerhasset and his beautiful island home—all that was magnificent and inspiring, as regarded the ancient country of the Aztecs and the Montezumas, were concentrated and thrown into this trial. There were startling rumors, too, that many among the highest and most popular would be hurled from their proud positions as the testimony progressed. Added to these, it was known that Jefferson had enlisted ardently in the prosecution, and would move his whole official influence to crush the man who had once competed with him for the Presidency. The odds against Burr were truly appalling, and his chances for escape seemed completely blocked. Against the powerful personal influence of an implacable enemy, the machinations of two enraged political parties, to whom he was alike odious, the whole artillery of the Government, and the prejudging voice of an aroused and indignant nation, was opposed a single individual stripped of power, and of property,

and of home; abandoned by friends, and from whom even relatives shrank with trepidation. In all America *one only* heart throbbed in unison with his own; but that *one* heart—devoted—fixed—changeless; sensitive alike to his joys and his sorrows, was to him more than *all* America, or all the world. It was the heart of Theodosia, “sole daughter of his house!”

Throughout the whole period from the arrest until the discharge of Burr, and his departure for England, the conduct of Jefferson was obnoxious to grave criticism, and evinced a want of magnanimity unworthy of his great fame and his exalted station. True taste would have suggested to him a dignified neutrality of action, especially in view of his official prerogative of pardon, should the accused be brought in guilty; but more than all, in view of his past relations with the distinguished prisoner. He chose to pursue a course less delicate; aided the law by personal exertions, and mingled officially in the prosecution by employing eminent counsel to assist the District Attorney for the United States. It is said that he expended more than a hundred thousand dollars of the public money in aiding this prosecution. His letters to the District Attorney, Mr. Hay, are full of the most ireful and splenetic effusions against the judge, the counsel for defence, and the prisoner. He even condescends to charge the *Federalists*, as a party, with sympathizing in the treasons and troubles of Aaron Burr. “The *Federalists* make Burr’s cause their own, and exert their whole influence to shield him from *punishment*.” “Aided by no process or facilities from the *Federal* courts, but frowned on by *their* new-born zeal for the liberty of those whom *we* would not permit to overthrow the liberties of their country, we can expect no revealments from the accomplices of the *chief* offender. Of treason-



able intentions, the judges have been obliged to confess there is a probable appearance. What loophole they will find in the case, when it comes to trial, we cannot foresee. Eaton, Stoddart, and Wilkinson will satisfy the *world*, if not the *judges*, of Burr's guilt. The nation will judge both the offender and *judges* for themselves. If a member of the Executive or of the Legislature does wrong, the day is never far distant when the *people* will remove him. They will see then, and amend, the error in our Constitution which makes *any* branch *independent* of the nation. They will see that *one* of the great co-ordinate branches of the Government, setting itself in opposition to the other *two*, and to the common sense of the *nation*, proclaims impunity to that class of offenders which endeavors to overturn the Constitution, and are themselves protected in it by the Constitution itself; for impeachment is a *farce* which will not be tried again. If *their* protection of Burr produces this amendment, it will do more good than his condemnation." In this last letter, four points are very clearly made. It is evident that he intends to cast an ungenerous slur at Chief Justice Marshall, the *Federal* judge, offending; it is evident that, in conducting Burr's trial, having despaired of doing any thing in Court, he intends to play the game out, to arouse the anger of the *nation* against the *errors* of the Constitution; it is evident that he insinuates an attack on the *independence* of the Judicial department of the Government; and it is evident, that in the ebullition of his partisan acerbity, he casts a censure on the Senate of the United States, because their *impeachment* of Judge Chase, at a previous session, did not terminate in his displacement. Now, with all due deference to the opinion of our distinguished subject, we must be permitted to say, that in our opinion, Burr's projected

invasion of Mexico, by itself, would have done much less harm than this proposed degradation of the Judicial Department of the Government. We have no sympathy with Jefferson's views on this question, and hold them to be wholly irreconcilable with his professed democracy; for, to our view, his plans would ultimately have led to a centralization of all power in the hands of the Executive. The time may come when a *popular* President and a subservient Senate may place in judicial seats mere instruments of Executive will. This is one way in which despotism may approach, and not an improbable one; quite as probable as in military form. We have seen, thus far, sufficient evidence to convince us that Jefferson, despite his favor for democratic principles, leaned towards a policy which strengthened the Executive arm of the Government, and weakened the judicial arm. But besides claiming for the Executive an ultimate judicial authority, looking to entire supremacy, as we have shown some pages back, he, on this occasion, demanded, and had nearly obtained, a suspension of the Habeas Corpus, and usurped the right to seize, impress, and imprison witnesses. These arbitrary acts and demands are in full accordance with the spirit of his letters just quoted, and go to illustrate that public liberty is not always safest in the hands of ultra Democrats. Danton and Robespierre conversed speciously, and harangued eloquently, about the liberties of France, when the *Place de Louis Quinze* was reeking daily with the blood of slaughtered victims, and the guillotine dealing its death strokes by the minute. We do not mean to say that Jefferson would have been, under like circumstances, either a Danton or a Robespierre. But we mean to say that, in his Presidential conduct on this occasion, he was arbitrary, vindictive, and unjustifiably bent on shedding the blood

of Aaron Burr. Nor can we at all concur in his harsh and vituperative censures on Chief Justice Marshall. That eminent judge may have experienced uncommon embarrassment at this trial, and, in consequence, exhibited more than usual hesitation and inconsistency in delivering legal opinions. The array of learned counsel, the vast importance of the cause, the enlightened audiences ever present, and the distinction and acknowledged legal acumen of the prisoner himself, very naturally contributed to produce both embarrassment and occasional inconsistency. It has rarely fallen to the lot of any judge to have had occasion to seek so earnestly for the truth, both as to law and evidence; and none ever presided with more dignity and impartiality in the most responsible station in which one can be placed. Old and previously settled principles of law were more than once battered down by refined argument. New principles and points were sprung, and discussed with an ability seldom if ever displayed on any former occasion. Every point of law was jealously disputed, on one side or the other, and the nicest discrimination was necessary to distinguish between mere forensic powers and profundity of argument. Judge Marshall proved equal to all these requisites.

The conduct of Jefferson, on this occasion, is liable to reprehension on still another ground. He exhibited a degree of intolerance and impatience at being crossed, that argued downright Jesuitism. Among the counsel for Colonel Burr was old Luther Martin of Maryland, one of the framers of the Constitution. He manifested a deep and sincere zeal in the cause of his client, and, when warranted, did not scruple to charge home cuttingly on the *real* prosecutor—Thomas Jefferson. He especially animadverted on the President's presuming to withhold *any* papers necessary to the defence of

Burr, and declared that Jefferson's papers were no more sacred than those of his client, who had been robbed of the same by order of the Government. This, together with the charge of violating the New Orleans post office, in the person of General Wilkinson, although believed to be true, stung Jefferson to the quick, and roused his fierce resentment. His rage might have been justified, had he suggested a less exceptionable means of vengeance. But passion and the pride of power blinded him. On the 19th of June he thus writes to Mr. Hay: "Shall *we* move to commit Luther Martin as *particeps criminis* with Burr? Graybell will fix on him misprision *at least*. And, *at any rate*, his evidence will serve to *put down* this unprincipled and impudent *Federal bull-dog*, and add another proof that the most *clamorous* defenders of Burr are his accomplices." We cannot imagine any language more exceptionable than this, when uttered by a high dignitary of state, nor any course of conduct so really mean and unfair on the part of a chief magistrate. It shows the effervescence of an over-wrought party bitterness, and betrays a willingness to abuse power by using it for purposes of private revenge. It is well known that Burr was acquitted, both as to treason and to misdemeanor. The verdict was proper, and the only one that could have been justly rendered under the circumstances. After months of long testimony and tedious legal arguments, the counsel for Burr had moved that the further progress of the trial be arrested, inasmuch as it had been proved that Burr was not present when the *overt* act, as charged in the indictment, had been committed, and that, therefore, all other testimony was irrelevant. This motion threw consternation and surprise among the prosecutors, and produced one of the most learned, discursive, and powerful legal arguments



to be found in the whole course of judicial proceedings. Wirt characterized it as "a bold and original stroke in the noble science of defence, and as bearing marks of the genius and hand of a *master*." He stated his objections to the point, and enforced them in one of the most splendid forensic displays ever recorded. It will stand a favorable comparison with Burke's celebrated *chef d'œuvre* in the great case of Warren Hastings before the British Parliament. Independent of its power as an argument, it stands unrivalled in point of eloquence and emphasis of delivery. After having described Burr and Blannerhasset; coupling the first with all that was dangerous and seductive, and the last with all that was interesting and romantic; painting vividly the beautiful island on the Ohio—its blooming shrubbery—its gorgeous palace—the noble library which opened its treasures to the master—the celestial music which melodized its recesses, and charmed "the beautiful and tender partner of his bosom;" after dwelling on its quiet, rural scenes, and its domestic innocence and loveliness, interrupted and perverted by the arrival of Burr, he scouts the idea that Blannerhasset can *now* be made principal instead of accessory, and closes with the emphatic appeal: "Let Aaron Burr, then, not shrink from the high destination he has courted; and having already ruined Blannerhasset in fortune, character, and happiness forever, let him not attempt to finish the tragedy by thrusting that ill-fated man between himself and punishment." But splendor of oratory and majesty of description did not meet the issue, or answer the case. The defence held obstinately to the naked and resistless principle of the law, and its inevitable application to the point submitted. It involved all, it reached and covered the whole merits of the case, but the Chief Justice did not waver. He walked boldly up to his

duty, and charged the jury that *such was the law*. Of course, a verdict of "Not Guilty" was the consequence.

It might have been supposed that this elaborate and painful trial, its exposures and its mortifications, and this verdict, would end the matter, so far as contentment, under the consciousness of duty honestly discharged, was concerned. The law had had its fair operation, the prosecution had staked all, the defence had risked all, and the jury had pronounced. But Jefferson had been deprived of his vengeance, and the event rankled within his bosom. His anger and dissatisfaction found vent, and, strange to tell, his grandson's has been the hand to parade his weakness and his vindictiveness before a curious world. A letter to Mr. Hay, found on page 102, vol. 4th, of the work before us, contains this remarkable and petulant language: "The event has been—(*Here follows a number of stars, quite significant*)—that is to say, not only to *clear Burr*, but to prevent the evidence from ever going to the *world (!!!)*. It is now, therefore, more than ever indispensable, that not a *single witness* be allowed to depart until his testimony has been committed to writing. The whole proceedings will be laid before *Congress* that *they* may decide whether the *defect*—(*viz., the omission to convict*, we suppose,)—has been in the evidence of guilt, or in the law, or in the *application* of the law, and that *they may provide* the proper *remedy* for the *past* and the *future*. \* \* \* *This criminal (that is Burr)* is *preserved* to become the rallying point of all the disaffected and the worthless of the United States, and to be the pivot on which all the intrigues and conspiracies which foreign governments may wish to disturb us with, are to turn. If he is convicted of the misdemeanor, the Judge must, *in decency*, give us respite by some

short confinement of him ; but we must expect it to be very short."

We must award to Mr. Thomas Jefferson Randolph a more than usual share of candor and concern for the public, in thus surrendering the worthy object of his veneration to the *scarifiers* of political journalists and reviewers. But we must again object to his taste. It would have been better to have altogether suppressed *such* a letter to his confidential friend and agent ; but it was a grievous error to curtail and *star* it. The inferences liable to be drawn from its general tenor will be far more unfavorable to his grandfather than would be the part of the sentence omitted. But the whole letter is objectionable,—especially the parts we have quoted and italicized. It exhibits the discontents of a mind laboring under tormenting disappointment at having lost its *victim*. It unfolds the desire of its author to dishonor the Constitution by threatening to appeal from a *Judicial Tribunal* to *Congress* and to the *people*. It shows that Jefferson was capable of undermining, or endeavoring to dishonor, a *judicial officer*, because, instead of laboring to convict and hang an accused person, as the President evidently wished he should do, he had, with the guard of a jury, sternly administered *the law*. It proves that Jefferson, in the fury of thwarted vengeance, was willing to urge on Congress to act *retrospectively*, or fall on some "remedy for the past," which would still enable him to pursue and destroy his enemy. It accuses the Court and Jury of deliberately *preserving a criminal*, that he might incite "the disaffected and the worthless" against his country. Now we protest utterly against the inculcation of such principles, and must hold the language and intent as eminently seditious in tendency. We feel at liberty to denounce, and repudiate such

teachings, let them emanate from what source they may. Because Jefferson is claimed as being the apostle, *par excellence*, of Democracy; we do not choose to receive from him, under this assumed sanction, maxims that would have startled Napoleon in the days of his greatest power, and would drag an English King from his throne. It will not do to panegyryze *Republican liberty* under Federal administrations, and then, in its name, grasp at powers which were never dreamed of in connection with *Federal usurpations*. The sedition law of '98, so much complained of by the nation, could work its mischiefs only under the sanctions of a judicial tribunal. The Executive had very little to do with its operations. But if Jefferson's recommendations at this time had been carried out; if the *Habeas Corpus* had been suspended; if the inculcations gleaned from his various letters had been reduced to practice, the Executive would have been *supreme* in legal and civil matters, as it is already in military affairs. Here is another and striking proof, that they who boast most speciously of genuiue Democratic principles, are not always the safest persons to be trusted with power.

In connection with this trial of Aaron Burr is mixed up another affair, which although somewhat collateral to the main issue, yet serves to show how determined Jefferson was to bring about a speedy conviction of the prisoner. Among those who had been violently arrested in New Orleans, by order of General Wilkinson, and dragged to Richmond to testify against Burr, was a Dr. Erick Bollman. This man was a German, and was distinguished for character, science, and enterprise. In 1794, in company with a young South Carolinian, he crossed the Austrian frontiers, made his way into Moravia, and resolved to undertake the desperate effort of liberating Lafayette from the dungeons of Ol-



mutz. By means of his profession, he gained some communication with the captive, who was said to be gradually sinking under the effects of confinement. After repeated efforts they contrived to enable Lafayette to quit his prison, but it was only a momentary release. He was soon retaken, and along with his heroic friends, again buried in the depths of his dungeon. So great was the resentment against Bollman and his coadjutor, they were chained by the necks to the floor of the apartments they severally occupied. After six months' confinement, however, Bollman and Huger were released at the intercession of a powerful and influential nobleman. Bollman became a naturalized citizen of the United States, and in 1806, in some way, was connected with the schemes of Colonel Burr. In December of that year, he was arrested, and told for the first time, that he was *particeps criminis* with a traitor at the head of several thousand troops, and whose design was to levy war against the United States. Indignant at being thus wickedly connected, and totally disbelieving all *treasonable intent* on the part of Burr, he solicited on his arrival in Washington, a personal interview with President Jefferson. He there made a full revelation of the whole plan and schemes of Burr, so far as he knew them, utterly repudiating all designs of any attempt to disturb the Union. But he had unwarily committed himself to an artful diplomatist, who cared little about his disclaimers or impressions, so that he could use him in gathering any fact that might subserve his purpose of indicting, convicting, and hanging Aaron Burr. A short time after this interview, and in order to make matters doubly sure, Jefferson addressed a note to Bollman, adroitly worded, and solicited him to put in writing what he had communicated verbally, but pledg-

ing his "*word of honor*" that the same "should never be used against Bollman," and "that the paper should never go out of his hands." To this proposition, Bollman very artlessly and unhesitatingly, but most thoughtlessly, assented. It was the seal to his ruin and ostracism. It was scarcely given before a pretext was set up that it involved matters which seriously implicated the author in Burr's misdemeanors, and that sufficient cause for indictment by the grand jury existed. Bollman was a prisoner, confidently relying on the President's *word of honor*. In June, 1807, he was summoned before the grand jury at Richmond, as a witness against Burr, his testimony being predicated on what he had divulged to the President. By this time he had been apprised of the snare set for him, and he refused to testify in a case where he might inculpate himself. But Jefferson had planned his tactics. He had privately dispatched to Mr. Attorney Hay, a full pardon for Bollman, in order to deprive him of that plea. Bollman not having been indicted or tried, denied that he needed any pardon, and refused it with indignation in open court, as a "*badge of infamy*" proffered him by Jefferson. The District Attorney repeatedly thrust it at him, and to Bollman's great surprise, referred undisguisedly to the document he had penned for the President, on *his word of honor* that the same should not be used against him, and *never go out of the President's hands*. At this time, Bollman charges, it was not used against him only, but actually was in the hands of Mr. Hay, who had allowed General Wilkinson to read it also. The existence of such a paper became so notoriously public, that it was even sent for, and demanded by the grand jury, sitting on the case of Aaron Burr.

Now, let these transactions be construed as they

may, the most charitable and indulgent will find much to condemn in the conduct of Jefferson. One *fact* is clear and unquestionable. Jefferson certainly broke deliberately his *word of honor*, and without assigning any reason to palliate the violation. In his zeal to convict Burr, Jefferson had withheld papers necessary to the defence; had sanctioned the most violent outrages on personal liberty, to compel the attendance of witnesses; had violated the law by removing the accused beyond the limits of the territory in which the crime was alleged to have been committed; had opened the doors of the national treasury to engage assistant counsel in the prosecution; had turned prompter and prosecutor himself; had refused to attend court on a subpoena *duces tecum*; had offered, by dangerous stretches of power, to break up the defence by imprisoning, on a doubtful charge, one of the leading counsel, and had done all that he dared to do, to gain the cherished object of his desire. But all this was better than betraying the confidence of an injured man, a prisoner, and in his power. Candor, as a reviewer, calls on us to place the brand of unqualified reprehension on such conduct.

Before dismissing this branch of our subject, it may not be inappropriate to mention, that Burr always denied that treason against the United States or the dismemberment of the Union ever formed any part of his design in these movements. He denied it first, when questioned seriously, to Andrew Jackson. He denied it, in the confidence of client and counsel, to Henry Clay. He denied, under the seal of devoted friendship, to Senator Smith, declaring, "if Bonaparte with all his army was in the western country for the purpose of accomplishing that object, they would never again see salt water." He denied it indignantly on his dying bed, exclaiming, "I would as soon have thought of

taking possession of the moon, and informing my friends that I intended to divide it among them." A careful perusal of the evidence adduced on his trial, and an impartial review of all the facts and circumstances of his case, satisfies us that Burr was sincere in the above declarations. The precise objects he had in view will, in all probability, never be ascertained. His ambition and restlessness led him into many wild schemes, and perhaps into many censurable errors, but we are nevertheless satisfied that he was a persecuted man, and the victim of a malignant proscription.

#### PART V.

THE attention of the President was now, however, suddenly diverted from the domestic affairs of the nation to more important matters relating to its intercourse and understanding with foreign governments. While the trial of Burr was in active progress at Richmond, an excitement of a character far different and more intense was raging at the neighboring city of Norfolk, and ere long it had spread its contagious fires from Maine to the Mississippi. It seemed as though some latent torch of the Revolution had recaught its expiring flames, and was again on the point of kindling into a patriotic blaze that defied all extinction save in the blood of our ancient oppressor, now turned into a haughty and insulting enemy. The cause of such emphatic and unanimous hostile demonstrations we shall now proceed to narrate, as prefatory to the most interesting epoch of the Jeffersonian administration, and which cannot be justly passed over in a review intended to reach the whole of Jefferson's public life.

The 22d day of June, 1807, was signalized by an act of aggression and outrage on the rights and honor



of the nation, which, even at this distance of time, must excite a feeling of anger and mortification in all American bosoms. For some months previously to this date, a British squadron, under command of Admiral Berkeley, had been anchored near Norfolk, with the expressed intention of enforcing His Britannic Majesty's recent proclamation, requiring all subjects of Great Britain to be forcibly impressed, wherever found on the high seas, into British service. With this view, a demand had been made by the British Consul at Norfolk on Commodore Barron of the frigate Chesapeake, then lying at Norfolk, for four seamen on board his vessel, claimed as deserters from British ships. With the advice and privity of the Cabinet at Washington, Com. Barron peremptorily refused to comply, assigning as a reason that he had been cautious in making up his crew, and that he had no deserters on board. He then, in obedience to orders, put to sea on his destination to the coast of Barbary, unfit and unprepared, as yet, for sustaining an action, and never dreaming that an attack would be made on him by an armed enemy lying within the jurisdiction of his own Government, and in the very eyes of the whole American people. But such did, indeed, actually occur. The Chesapeake had scarcely got out of Hampton Roads, and was yet off Cape Henry, when the British vessel Leopard, of fifty-four guns, detached itself from the Admiral's squadron, and put to sea in pursuit. The Chesapeake was soon overhauled, and the four sailors again formally demanded. The American commander again refused, when the Leopard cleared for action, and forthwith began a heavy fire on the American frigate. Strange to say, the Chesapeake offered not the slightest resistance; but after having stood under the fire of the British guns for near half an hour, losing some thirty men in killed and

wounded, besides sustaining heavy damage in her hull, the frigate's colors were struck, and a message was sent to the British commander that the Chesapeake was his prize. An officer from the Leopard came on board, mustered the crew, and having seized the four sailors in question, returned without offering the slightest apology. The Chesapeake was then released, and Commodore Barron, disabled and humiliated, put back into Hampton Roads.

The news of this transaction excited at once the deepest sensation. Indignation meetings were called, and resentful resolutions passed in every town and city, from Passamaquoddy Bay to the Gulf of Mexico; and the whole Union rose as one man to demand the means of redress at the hands of the Executive. Nor was the administration at all behind the spirit of the nation. Jefferson acted with becoming promptitude, and turned the whole weight of his influence on the popular side. A proclamation was issued, setting forth succinctly and vividly our causes of aggrievance at the hands of the British Government, and peremptorily ordering all armed vessels bearing commission from that power, then within the harbors or waters of the United States, to depart immediately from the same; also interdicting the entrance of all harbors or waters to all vessels, of every description, commissioned by the offending power. Warm responses came in from every quarter. Federalists and Democrats waived their party animosities, and rallied around the administration. The British Minister resident was called upon, but failing to give due satisfaction, dispatches were forthwith sent across the waters, and an explanation demanded at the very doors of the royal palace.

But while this was yet pending, and the American mind still festering and rankling under the atrocious

outrage, the British Government rose to a still higher and more insolent pitch of arrogance, and ordered that even merchant vessels, trading peaceably under the guarantee of mutual good understanding, should be stopped and searched for British subjects. And, as if intending to push matters to the extremity, and so far from pausing to redress grievances already alleged, an order in council was adopted yet more destructive to American commerce, pretended as an answer to the recent decree of the French Emperor. But we are anticipating; and in order to proceed intelligibly, we must retrace, and, crossing the Atlantic, survey the condition of Europe.

The successes and bold schemes of Napoleon were, at this time, the source of absorbing interest to the civilized world. His coronation as Emperor had been followed immediately by the great battle of Austerlitz, which had prostrated Austria at his feet, and reduced the Czar of Russia to so humiliating a condition as ended in the total disruption of his confraternity with the Germanic powers. The battle of Jena, fought in October of the succeeding year, demolished Prussia, and placed her capital in the conqueror's hands. Elated with this important victory, Napoleon now meditated the most gigantic and startling ideas ever put forth. The whole continent of Europe was now under his influence, and the world beheld the singular spectacle of a solitary island power, with a population of scarce twenty millions, and protected by the ocean alone, boldly struggling against a despotism which looked, and seemed likely to attain, to universal dominion. The orders in council, adopted in the month of May previous, had established what was derisively termed a *paper blockade* along the entire coast of France and Germany, from Brest to the mouth of the Elbe. As

this order forbade all commerce to neutrals, in defiance of international law, and was aimed especially against France, Napoleon, seated in the royal palace of Berlin, burning with resentment against England, and filled with the idea of *conquering the sea by the land*, indited and promulged the famous decree of November 21st—the first of that series of measures afterwards known as his continental system. It declared the British islands in a state of blockade, and prohibited *all commerce and intercourse* with them. But it is worthy of remark, that Gen. Armstrong, our Minister at Paris, was officially notified that the Berlin decree was not to be enforced against American commerce, which was still to be governed by the rules of the treaty established between France and the United States. This significant exception aroused the jealousy of England, and her ministry were impelled into a policy that closed all avenues to a friendly adjustment of the difficulties already existing between her Government and ours. The orders in council, adopted on the 11th of November, 1807, as retaliatory of the Berlin decree, contained provisions which bore intolerably hard on American commerce. Among the most odious of these was that which condemned all neutral vessels which had not first paid a *transit duty* in some *English port* before proceeding on their destinations; thus bringing the merchandise of neutrals within the limits of the Berlin decree, as also of that of Milan, which soon followed, and in which Napoleon *denationalized all vessels* sailing from any English port, or which had submitted to be searched.

From a calm consideration of these retaliatory documents, thus promulged by the two great belligerent powers, it is evident that had any American vessels put to sea after December of 1807, or during the winter



and spring of 1808, they would inevitably have been sacrificed—those bound to France or her dependencies, to British, and those bound for the British dominions, to French cruisers. And this leads us, having thus succinctly premised, to the consideration of the great measure of Jefferson's second administration. It will be understood, of course, that we allude to the Embargo—a restrictive law of Congress, recommended by the Executive, withdrawing the whole American commerce from the ocean.

Now that the excitement and evil passions of those eventful times have died away, or been absorbed in other questions more intensely interesting and momentous, we may calmly review the causes and the justification of this much-abused measure. It must be remembered that the last war with England dates its origin to the disputes which began in 1804. During this year, the Jay treaty with England, effected in 1794, under the administration of Washington, and which had bred serious dissensions at the time of its adoption, between the friends and enemies of the then Executive, had expired by its own limitation. Jefferson had been one of its earliest and most inveterate opponents, had denounced it as crouching, submissive, incomplete; and now, in the day of his power, refused the overtures of the British ministry to renew it for the period of even two years. In consequence of this refusal, and in view of the serious inconveniences arising from the absence of any international compact, Mr. Monroe was dispatched to England as an adjunct with Mr. Pinckney in promoting satisfactory negotiations and adjustment. After many long conferences and tedious correspondence, these commissioners agreed on a treaty which contained satisfactory clauses as concerned the rights of commerce, and of free trade, and

of paper blockades—all prominent grounds of discordance. But in regard to the all-engrossing subject of *impressment*, they had been enabled to obtain only a sort of bond or certificate from the British ministers, unengrafted on the treaty, and scarcely dignified even with the uncertain name of protocol, declaring that, although his Britannic Majesty could not *disclaim* or *derogate* from this *right*, yet that instructions should be given to all British commanders to be *cautious*, in its exercise, not to molest or injure the citizens of the United States, and that prompt redress should *always* be made in case injury was sustained. The treaty, with this appendage signed by the British negotiators, was concluded in December, 1806. It was sent over immediately to Mr. Erskine, the English minister resident in the United States, and by him submitted to Jefferson and his Cabinet. The omission of a special treaty stipulation concerning *impressment* was deemed a fatal error; and taking the ground that any succeeding minister might, at pleasure, *withdraw* the paper accompanying the treaty, Jefferson, on his own responsibility, and independent of any action on the part of the Senate, then in session, sent it back as rejected. We must believe that Jefferson's interpretation of this paper (a stranger, any way, to the diplomatic world) was correct; but at the same time we incline to the opinion that, in view of the magnitude of the subjects in issue, and of the momentous results involved, it was his duty to have sought the advice of the Senate, two-thirds of which body, and the President, constitute, under our government, the only treaty-making power.

The questions at issue, thus adjourned and unadjusted, added to the fact that no treaty existed between the two countries, led to many other disputatious differences. The treaty had scarcely been returned

to the negotiators in London, thus black-marked by the American Executive, before the offensive proclamation of the British monarch, already alluded to, was widely promulged. The affair of the Leopard and the Chesapeake soon followed, and then came the Orders in Council, and the Berlin and Milan decrees, all widening the breach betwixt our own and the British Government, and throwing us in a state of *quasi* hostility with France. Under these circumstances only two courses were left for the American Government to adopt, viz., war with both the great belligerent powers, or an embargo. The first of these, in our then enfeebled state, would have been as mad as well as a most ridiculous course. Besides, no adequate cause for war existed against France, who had actually gone far to show herself our friend. The history of the times proves, that however severe the Berlin and Milan decrees may have been in their effects on American commerce, they were yet allowable precautionary and retaliatory measures, the consequents of England's atrocious and unparalleled conduct. With regard to us, England was the only aggressive power; and it was not until our interests clashed directly with the provisions of the imperial decrees as they bore against England, that France gave us the least cause of complaint or offence. Then, indeed, in the plenitude of his power, Napoleon committed outrages on America which left us no alternative but unfriendliness. But to have submitted, as Jefferson himself justly argued, to pay England the tribute on our commerce demanded by her orders in council, would have been to aid her in the war against France, and given Napoleon just ground for declaring *war* against the United States. The state of this country, thus situated as to the two belligerent powers, was therefore exceedingly

embarrassing. It required the skill of an unshrinking, but a discerning and discriminating pilot, to steer clear of overwhelming difficulties. That pilot was eminently fulfilled in the person of Thomas Jefferson; who, with a sagacity that rarely failed him, adopted promptly the only remaining alternative of an embargo.

On the 18th of December, 1807, accordingly, Jefferson communicated the Berlin decree, the correspondence betwixt Gen. Armstrong and Champagny, the French Minister, and the proclamation of George the Third, to the two Houses of Congress, together with a message, as before intimated, recommending such measures as he deemed necessary for the protection of American commerce. The Embargo Act was immediately introduced, carried through both Houses by large and significant majorities, and took effect on the 23d of the same month. It had scarcely become a law, before it encountered the most factious, violent, and well-directed opposition ever before exhibited. The whole Federal press, from New Hampshire to Georgia, raised its hand to beat it down, and thundered forth volleys of abuse and vituperation. It was denounced as oppressive, tyrannical, and wicked; as having been dictated by Napoleon; as a sacrifice of the dearest interests of the nation, and as unconstitutional. The clamor which had assaulted the Alien and Sedition Laws of 1798 was nothing to that which now poured its indignant torrents on Congress and the Executive. The entire cordon of Eastern States were kindled into the most appalling and intense excitement. The columns and segments of my stic flamewhich irradiated their northern horizon, seemed to glow with increased lustre, as if doubly reflected from the fires which burned and roared beneath. The most monstrous and improbable cause was assigned as the justification of this fe-



rocious and ruthless opposition. The embargo was reprobated as a measure intended to combine the South and West for the ruin of the East. The more that unprincipled demagogues and silly enthusiasts repeated the declaration, the more fervently it was believed by honest people, too mad or too ignorant to be pacified with reason or truth. Ships were angrily pointed to, rotting at the wharves of Boston and of Newport. Idle, drunken sailors, in reeling hordes, clamored for employment, swearing that they could exist only on the seas, and that they were unfit for aught else but reefing sails or manning halyards. Wharfingers and shipbuilders united in a common chorus of discontent. Merchants, from behind their groaning counters, sent forth grumbling calls for relief; and seemed willing to sell themselves, their piles of goods, and their country, to the common enemy, could they only obtain release from the embargo, and fill the hostile seas with their commerce. At length, dark hints of meditated *treason* were whispered about, and stunned the ears of Jefferson and his Cabinet. The crime which had just been charged against Aaron Burr, and on the mere *suspicion* of which he had been placed by an angry Government on a trial for his life, was now openly advocated, and the opposition prints teemed with threats of *dissolving the Union*. Then it was that Jefferson's own bad teachings and mischievous principles were hurled mercilessly at his own government. The pernicious ultraisms of the Kentucky and Virginia Resolutions of '98 rose scowlingly and warningly to his vision, and would not "down" at any "bidding." He had condemned and ridiculed the means used by Washington to suppress the Whiskey Insurrection in '94; and it seemed now as though the "poisoned chalice" had been "commended to his own

lips." He had defended and justified the Shay Rebellion of '87, declaring that "no country could preserve its liberties unless its *rulers* were warned from time to time that the *people* preserved the power of *resistance*, and washed the tree of liberty in the *blood* of patriots and tyrants." That *resistance* was now every where and undisguisedly preached; the *people* were invited to join in a crusade against the *rulers*, and, in case of a rupture, it seemed not unlikely that the *blood* of the first apostle of Nullification and Secession would be first offered as a propitiatory sacrifice on the altars of *dissolution*. So sure it is, that the evil counsels of selfish and unrestrained ambition will recoil, in an unexpected hour, and cover their propagator with confusion and dismay!

But notwithstanding this factious clamor and insane opposition, a calm consideration of the circumstances and situation of the country, at the period in question, will lead us to the conclusion that the embargo was a wise, salutary, and prudent measure. It was the only available or practicable remedy against the withering policy of England and France, then engaged in a war of extinction. But at the same time it is not to be denied that, as a measure of coercion to obtain redress from foreign powers, and to be continued until such redress was obtained, it certainly was a most severe, and, we may add, bold experiment on the interests as well as on the patience of an active and enterprising people. If, however, the embargo had not been adopted; if American vessels had been suffered, as of yore, to put forth on the high seas, it as certainly is not to be denied but what they would have been universally seized and confiscated. This would have produced unprecedented bankruptcy. Insurance offices and mercantile houses would have been speedily engulfed in

hopeless ruin ; and scenes of calamity and distress, only equalled by the explosion of Law's famous Mississippi bubble in the beginning of the eighteenth century, would have pervaded this Union from one extreme to the other. The plunder of our ships and the captivity of our seamen would have operated to augment the resources of the belligerents and enfeeble ourselves. We should thus have suffered all the worst consequences of war, without the chance of obtaining any of its compensatory advantages. Under these circumstances, it was evidently more politic that our vessels should remain at our wharves, the property of our merchants, than that they should be carried to England or France, the prey of pirates and of privateers. Besides this, by unfettering American commerce at such a time, with the risk of having our ships seized and ruthlessly sequestered, we would have been pursuing a course eminently calculated to multiply the difficulties already existing as barriers to a good understanding and amicable relations with the hostile powers over the water. We should again, as in the case of the Chesapeake with England, and of the Horizon with France, have been reduced to the mortification of negotiating for reparation in vain. We should have been ultimately goaded into a fierce war, after having been defeated in our endeavors to escape it, and deprived of the most efficient means for its prosecution.

The charge of French influence in connection with the embargo was confidently attributed to Jefferson at the time, and Federal writers continue to urge it to this day. But the charge has never been adequately proven, and cannot, we think, be at all sustained. That Jefferson cordially despised England and its Government we do not doubt ; nor does he any where attempt to conceal his dislike. Nor do we doubt but that his

sympathies were in favor of France, from the beginning of the struggle in 1792 to its melancholy close after the battle of Waterloo in 1815. He retained, to his dying hour, lively and cherished recollections of his residence in that country. He had known and been intimately associated with all her leading statesmen and warriors. He had formed social attachments in the hospitable circles of Paris that outlived absence and survived separation. He had been domesticated in France during the opening scenes of her eventful strife with England, and while yet the memory of British outrages during the struggle for American independence was fresh and green. He had, therefore, imbibed the double hatred of American and of Frenchman against British arrogance and British pretensions. These feelings were rife within his bosom when he came home from his mission, and had been fanned and sedulously nurtured throughout the whole eight years of Washington's administration. They were not smothered in his subsequent fierce conflicts with the Federal party, and his arduous competition for the Presidency with the elder Adams. And now that he was at last on that eminence which crowned his towering ambition, and had been long the goal of his ardent aspirations, it was not likely that, as regarded the interesting attitudes which marked the two great hostile powers of Europe during his administrative career, he should forget his early prejudices against England, or his strong prepossessions in favor of France. But we have been unable to satisfy our minds that he was actuated by undue influences in the adoption of his foreign policy. The history of his whole official conduct in connection with the Embargo, the Non-intercourse Act, and his diplomatic dealings with the belligerents, shows that he acted as became an American President, and lifts him triumphantly



above all unworthy imputations. Throwing aside all other considerations, Jefferson was not a man to bear being dictated to, even by Napoleon. He felt the influence and power of his high official station, and showed that he felt them. It was rather his weakness to believe that he could coerce and dictate to France, knowing, as he did, the deep anxiety of Napoleon to enlist the United States as his ally against England. And, indeed, the French Emperor, even while committing outrages on American vessels, pleaded *necessity* as his apology; and while throwing the whole blame on the British ministry, plied the American Executive with artful and flattering laudations. With this view, Napoleon, unconsciously playing into the hands of Jefferson's Federal opponents at home, affected to consider the embargo as a friendly interposition on behalf of the American Government to aid his continental system—a system professedly devised to humble and weaken English ocean dominion. In the saloons and reception rooms of the Tuileries he made a show of boasting of the United States as his ally, and constantly and publicly assured Gen. Armstrong, our Minister, of his great respect and friendship for the American people and their Government. "The Americans," said the French Minister, speaking for the Emperor, "a people who involve their fortunes, their prosperity, and almost their existence, in commerce, have given the example of a great and courageous sacrifice. They have prohibited, by a general embargo, all commerce and navigation, rather than submit to that tribute which the English impose. The Emperor applauds the embargo as a wise measure." (Pitkin's Statistics, p. 385).

This speech was, of course, directly communicated to the President of the United States, and speedily finding its way into the newspapers, was seized upon

and turned against Jefferson and the embargo, as *prima facie* evidence of a collusion with the French Emperor. There is every cause to believe, as well from his own letter in answer to the one communicating the above, as from other circumstances, that this commendation of Napoleon was exceedingly grateful and pleasant to Jefferson; and there can be no doubt that, in his public communications relative to our foreign affairs, he sought to inculcate England far more than France. He regarded England as the first and principal aggressor on the rights of America, while France was reluctantly involved, and forced to retaliate that she might preserve her own integrity against the insidious and ruthless policy of the British ministry. The object of the President was, then, especially in view of his unquestioned predilections, to turn popular indignation mainly against the first power, and leave the conduct of the French Government palliated by the unanswerable plea of stern necessity. It must, therefore, have been deeply mortifying to Jefferson, when dispatches reached him of Napoleon's sudden change of mind in regard to the operation of the Berlin and Milan decrees; declaring that America should be no longer exempted, that she should be *forced* to become either his ally or his enemy; that there should be no *neutrals* in the contest betwixt himself and the British; and that all vessels belonging to American merchants then lying in the ports of France should be condemned and confiscated. It is said that this news reached Jefferson in an authenticated form, anterior to the delivery of his embargo message; and his enemies charge him with having wilfully kept back this important paper (a letter from Gen. Armstrong) solely with a view to relieve France from the storm of anger and indignation which was gathering against England. Jefferson has not explained this, and his

friends have been silent also. If he had received such news, it was, undoubtedly, his duty to have communicated the same to Congress along with the offensive orders in council and the Berlin decree. It may have been, and most probably was his motive, to give Napoleon time to get over his passion and retrace his steps before throwing himself irrevocably in opposition to his former conciliatory policy. It was well known that, when Bonaparte heard of the last order in council, and while preparing to fulminate his Milan decree in retaliation, he had openly said, "that he could not doubt but that the United States would now immediately declare war against England, and become his associate." On learning that war had not been declared, Napoleon became exasperated; and although, for the reason that he might better justify his outrages, he afterwards professed to be pleased with the embargo, he resolved from that day to adopt a policy that might, it was hoped, *coerce* the Americans to become his allies. It will be thus perceived that Napoleon shifted his policy three times, and in very short intervals. Jefferson may very naturally have been embarrassed; but on learning that Napoleon had ordered the confiscation of American vessels, he forthwith communicated the letter of Gen. Armstrong to Congress, leaving them to take the proper retaliatory course. The Embargo Act was well intended, and ought to have been made a powerful weapon in procuring redress from England. We give Jefferson all due credit for recommending it in lieu of war, which was not then practicable. But he was highly culpable on account of his imbecility and vacillation in enforcing it, even after having been invested with the fullest powers by Congress. Properly carried out, the embargo would have greatly incommoded the English colonies in obtaining the necessaries of life, and

would have injured her trade and naval power by withholding supplies of raw material and stores. But it was most flagitiously violated. The greatest license was given to smugglers and contraband dealers, and these made rapid and unhallowed fortunes at the expense of the honest and law-abiding citizens. Its deleterious effects were thus most severely felt at home, and were impotent to conduce and force the beneficial consequences from abroad so confidently predicted. It failed in a great measure to answer its main objects, and failed as much in consequence of Jefferson's imbecility and lethargy, as of the factious, disorganizing, and Jacobinical clamors which pealed in from the Eastern States. An impartial judgment must pronounce, therefore, unfavorably as concerns the conduct of the President in this instance. That conduct would justify a very harsh sentence at the hands of an independent disquisitor; and that sentence would be, that while Jefferson was bold to originate, intolerant and obstinate in the exercise of power when conscious of being sustained, he was yet faint-hearted and time-serving when assaulted by popular clamor and denunciation. It will be readily conjectured that the embargo could not stand long under such circumstances. It was accordingly repealed on the first of March, 1809. It was stamped in the dust by Federal rancor, and consigned by its enemies to unmerited infamy. And although its action was countervailed by the imbecility of its friends and the opposition of its enemies, its failure is attributed alone to its intrinsic insufficiency and to its so-called iniquitous conception. It is even now pointed to as one of the errors and weaknesses of Jefferson's vicious administration. And yet it was sanctioned by illustrious precedent—another proof that its failure in 1807 was attributable to the bad conduct of its enemies and



to the bad management of its friends. It had been authorized to a much fuller extent in 1794, and was sanctioned as a wise measure equally by Federalists and Democrats. Washington had, in fact, been empowered to lay an embargo whenever *he* should think the public safety required it, and to take what course *he pleased* to enforce it. (Vide Olive Branch, pp. 138, 139, 140.) This discretionary power was conferred, and this dictatorial privilege given, at a time much less portentous and critical than in 1807. And it answered its full purpose; because, thus empowered, it was known that Washington was a man who would *act* if occasion should require. He had shown this in his whole public conduct, and quite recently and effectively in forcibly suppressing the Whiskey Insurrection. The embargo ceased, or was raised, on the first of March. It was succeeded by an act declaring *non-intercourse* with both the hostile powers. England felt it severely; and under less exciting circumstances, or in the absence of other causes of difference than mere commercial discordances, it would doubtless have led to an amicable adjustment. As it was, the Erskine arrangement came very near succeeding. But Napoleon was exasperated on hearing of its passage beyond all reasonable bounds, and vented his fury in offensive reproaches and incoherent taunts to the American Minister resident. At this time, however, ceased also Jefferson's official connection with the Government. He retired from the Presidency on the fourth day of March, 1809, and was succeeded by Mr. Madison. It is not, therefore, legitimately within the objects of this review to pursue further a history of governmental affairs. We pause on the verge of the war, and must leave the interested reader to search the pages of his histories for further satisfaction, hoping that we have succeeded in pointing out to him

a proper clue to the elicitation of hitherto neglected branches.

After retiring from the Presidency, Monticello became the permanent residence of Jefferson. He never afterwards appeared on the stage of political action. His time was quietly spent in superintending the business of his farms, in the pursuit of literature and science, and in familiar correspondence with his numerous friends. The Virginia University, however, soon became a pampered *hobby*, and enlisted his ardent interest and sympathy. He lived to see it flourish under his fostering care, and it yet continues to flourish, a noble monument of his public spirit and laudable enterprise of character.

One other subject now began to engage his reflections seriously and deeply. It was that of religion—the *Christian* religion. He never thought it worth while seriously to investigate the claims or merits of any other. Compared with the religion of Christ, that of the Jews or of Mahomet was, in his estimation, mere superstition or gross imposture. At the same time, it is quite apparent that he had studied closely both the ancient and modern systems, with a view to compare them with the religion of Jesus. For many long years, in the midst of political bustle as well as in the quiet of retirement, did Jefferson devote his thoughts to serious meditations and minute inquiries on this important subject. The fourth volume of his correspondence abounds with letters on Christianity, and unfolds beyond any question the religious opinions of its distinguished author. We hesitate not to say that his inquiries ended with a firm and total disbelief in the divine inspiration of the Bible. He argued an entire dissimilarity between the God of the Old Testament and the Supreme Being taught by Jesus; viewing the first as

an angry, a bloodthirsty, and vindictive being—the last as merciful, forbearing, just, and paternally inclined. He denounces the doctrines of Moses, but extols those of Jesus. He looked on Jesus as a *man* only—the most excellent and pure that ever lived, but still no part or essence of Divinity. The doctrine of the Trinity was to him an incomprehensible and inexplicable mysticism—too refined, too inconsistent with the weakness of human understanding, and too subtle to have been inculcated by so plain and unsophisticated a teacher as Jesus Christ. He admits that it is more than probable that Jesus thought himself the subject of divine inspiration, because it was a belief incident to his education, and common among the Jews, that men were often inspired by God. But he denies that Jesus any where attempts to *impose* himself on mankind as the Son of God. The four Gospels were regarded by him as inaccurate and exaggerated biographies of some lofty-minded and splendid character, whose conceptions were too towering for the “feeble minds” of his “*grovelling*” companions. (See p. 326, vol. IV.) “We find,” he says in the letter referred to, “in the writings of his biographers, matter of two distinct descriptions. First, a ground-work of vulgar ignorance, of things impossible, of superstitions, fanaticisms, and fabrications. Intermixed with these, again, are sublime ideas of the Supreme Being, aphorisms and precepts of the purest morality and benevolence, sanctioned by a life of humility, innocence, and simplicity of manners, neglect of riches, absence of worldly ambition and honors, with an eloquence and persuasiveness that have not been surpassed . . . Can we be at a loss in separating such materials, and ascribing each to its genuine author?” In a letter to John Adams on the same subject, found on page 240, volume fourth, our author says again: “The

Christian priesthood, finding the doctrines of Jesus levelled to every understanding, and too plain to need explanation, saw in the *mysticisms* of Plato materials with which they might build up an *artificial* system, which might, from its indistinctness, admit of everlasting controversy, give *employment* to *their order*, and introduce it to *profit, power, and pre-eminence*. The doctrines which flowed from the lips of Jesus himself are within the comprehension of a child ; but *thousands of volumes* have not yet explained the Platonisms engrafted on them : and for this obvious reason, that *non-sense* can never be explained."

And again, the letter to Dr. Rush, found in volume third, on page 506, holds this language: "I am, indeed, opposed to the corruptions of Christianity, but not to the *genuine precepts* of Jesus himself. I am a Christian in the *only* sense in which *he* wished any one to be ; sincerely attached to his doctrines in preference to all others ; ascribing to himself every *human* excellence, and believing he never claimed *any other*." The last extract we shall quote is found on page 349, vol. fourth, in a letter to Dr. Waterhouse: "Had the doctrines of Jesus been *preached* always as pure as they came from his lips, the whole civilized world would now have been Christian. I rejoice that in this blessed country of free inquiry and belief, which has surrendered its creed and its conscience to neither kings nor priests, the genuine doctrine of *one only* God is reviving ; and I trust that there is not a *young man* now living in the United States who will not die an *Unitarian*. But much I fear, that when this *great truth* shall be re-established, its votaries will fall into the fatal error of fabricating formulas of creed and confessions of faith, the engines which so soon *destroyed* the religion of Jesus, and made of Christendom a mere



Aceldama; and they will give up *morals* for *mysteries*, and Jesus for Plato."

These extracts fully confirm the analysis of Jefferson's religious views we have given on a preceding page, and leave no doubt of their character or extent. He admired the *morality* of Christ's teachings, but denied the divinity both of system and of teacher. The apostles and their writings met with no favor from Jefferson. He speaks of them more than once "as a band of *impostors*, of whom Paul was the great Coryphæus;" and we have abundant evidence to show that he doubted not only the genuineness of the Pentateuch and of the prophecies, but of the whole writings of the Old Testament. Still we cannot consent that Jefferson shall be ranked as an infidel, as most of the orthodox world demand. He protests himself against such a sentence, and we have been unable to detect such tendency in his writings. He admired and adopted Christianity as an inimitable and unsurpassed system of morality, and inculcates and defends its principles. But he examined its merits and viewed its transcendent teachings through the medium of reason and plain common sense. Where these stopped, and where the foggy empire of *faith* began, there he abruptly halted. His mind was so constituted as neither to be terrified by dogmas, nor seduced by imaginary beauties, and illusive, speculative mental vagaries. He regarded the tenets of Calvin with ineffable and undisguised abhorrence. The doctrine of *one* God, indivisible and indissoluble, made into *three* parts, and these three parts yet *one* only,—a Unity made Trinity at pleasure, or to suit particular cases; the doctrine of *moral necessity*,—the necessity of the eternal perdition of one part for the salvation of another part of mankind, and for the perfect glory of God; and the doctrines of the immacu-

late conception of the Virgin, and of the mystical incarnation of Jesus Christ, he had taught himself to regard as mere fanciful theories of a selfish priesthood, designed only to establish and support an independent "order" of clergy. A theory that announced as its basis incomprehensibility and infinitude, yet attempting to explain and elucidate acknowledged mysteries; which claimed reason in defence, and denounced it as unlawful in antagonists; which shuts out free inquiry, and seeks shelter from human efforts within the untrodden precincts of an inexplicable and undefinable *faith*; which proscribes doubt, interdicts examination, denounces as blasphemous the exercise of judgment, and intrenches itself in dogmatism and prejudice; which claims to be infallible, yet teaches the consistency of sectarianism,—such a theory and such religion were totally rejected by one accustomed to such bold latitude of thought and severe mental discipline as Thomas Jefferson. It is no part of our task, nor is it our inclination, to examine the correctness or the fallacy of these views. But when reviewing so important a subject, and the character of so distinguished a personage, we feel bound, in candor, to give both the subject and the character the full advantage of undisguised array. Such were the private and well "digested" religious opinions of Jefferson, and by such, fairly set forth, he must be judged. It would be unfair to expose him to censure, while smothering the *grounds* of his belief or disbelief. And if, in the perusal of these pages, any reader shall feel aggrieved on any point of conscience by this *exposé* of our author's doubts and skepticisms, let him, while preparing to grasp the vengeful dart, pause and reflect, that many as good and great, if not *better* and *greater* than Thomas Jeffer-

son, have been honestly perplexed by like doubts, and mystified by like skepticisms.

The volumes before us close with the celebrated "Ana." As a material part of the memoirs of one of the leading representative men of America, it should not be passed over lightly or inadvertently. We view its character, contents, and objects as forming quite a suspicious feature in the public character of our distinguished subject. We shall not aver that it is unfair or unallowable to treasure what we may casually hear in the course of general conversation among distinguished personages, with a view to profit by the same in making up an estimate of character and principle. We believe that free conversation is the surest index to honestly-conceived opinions. It is the apposite and quick expression of thoughts induced by reading, or by previous casual reflection—the more to be relied on, inasmuch as it is usually unprompted by cold calculation, and is unrestrained by policy or timidity. But to note down table-talk at dinings, evening parties, and at cabinet consultations in difficult, novel, and trying times, as Jefferson has done in his Ana, is not only culpable, but is violative of all rules which govern free social and political intercourse. During the administrations of Washington, republicanism was in its infancy, and the government in its chrysalis state. The hopes of freemen were suspended on a thread. The capacity of the people for self-government was an untried experiment. The best and the wisest were doubters; and among these was Washington himself. Hamilton was an open and professed skeptic, and did not scruple to declare, as his firm opinion, that monarchy was the most reliable form of government. Old John Adams believed the same way, and even James Madison indulged apprehensions. But all of these had re-

solved that the experiment should have a fair trial. Hamilton was urgent and strenuous in his advocacy of the policy, and joined with Madison and Jay in producing a series of papers remarkable for ability and power in support of a popular form of government, and of the Constitution. These papers were embodied into a volume which has attained to a world-wide celebrity under the name of the "Federalist." And yet it is principally to defame Adams and Hamilton that Jefferson indited the *Ana*, although every member of Washington's administration came in for a full share of espionage. Indeed, if Jefferson is to be regarded as a credible and an unbiased witness, the fathers of the government, excepting Madison and himself, must have been the most corrupt and selfish cabal of politicians that ever disgraced the history of any country. He spares Washington, truly, but in a manner not very complimentary to the intellect of that illustrious and venerable personage. He represents him as having, indeed, a good heart, but a weak, vacillating head; as being entirely under the influence of Federal advisers, and as indecisive and wavering in time of action.

But it is altogether unfair to judge either Hamilton or his associates by opinions expressed at the time in question, especially on the subject of popular government. The experiment, fairly tried under their auspices, was incontestably proven and demonstrated; and, like all demonstrations, carried conviction. Its proof was unquestionable. Washington modified his original views so far as to admit its practicability, but died seriously doubting its permanency. Hamilton's conduct evinced his satisfaction at the result, in the undeviating support he gave to the judicial and popular branches of the government. The election of Jefferson to the Presidency, a few years afterward,



showed a general confidence in the success of the scheme, and the acquiescence of the Federalists, then one of the most formidable and powerful parties that ever existed, was the clearest evidence of the triumph of republicanism.

Under these circumstances, and being cognizant of these facts, we can find no excuse for the author of the *Ana* in thus noting down and publishing conversations uttered at an unsettled and a trying period of political affairs; and when opinions, far from being firmly fixed, were hastily formed, according to the ever-shifting complexion of the experiment, and expressed less with a view to convince or persuade, than to elicit information. We confess to an instinctive distrust of talk-gatherers. When we find or hear of a politician mingling in social circles, or among his adversaries around the festive board, listening attentively to conversation, while cautiously and rarely giving utterance to his own opinions, and then noting down or retailing the results of his observation, we feel an involuntary apprehension of mischief, and are inclined strongly to suspect foul play. By this rule we are constrained to judge Jefferson in this instance. That he squared his conduct, in after days, from the notes and information thus suspiciously gleaned, is quite evident both from his unrelenting jealousy of Hamilton, and from his remorseless persecution of Aaron Burr.

In view of this, as well as of other cogent reasons, it might have been supposed that a relative, justly proud of his distinguished ancestor's fame, would have spared the readers of his book the mortification of perusing these unpleasant revelations—the evidences of an aspiring and a jealous mind, resorting to a most questionable and unworthy *espionage* in working out the overthrow of unwary adversaries. But the *candor*

of Mr. T. J. Randolph was stern proof against all prudential suggestions or delicate considerations. A very natural and pardonable unwillingness to reduce the profits of his work, and to lop off the main value of his grandfather's bequest, may also have had some influence in scotching his candor against the invitations of delicacy and prudence. Nothing, however, is more certain than that the publication of the *Ana* has operated to detract largely from the private character of Jefferson, and to tarnish his claims to fair play and candid opposition in political warfare. We may, then, safely assert, that while Mr. Randolph very prudently counted the cost of suppression as weighed against the profits of publication, the memory of his illustrious and venerable ancestor has expiated dearly the fruits of his speculation.

Our task is completed. We have now little else to do than briefly to sum up the prominent representative features in the character of our distinguished subject, and then to leave the merits of our review to the impartial judgment of the reader.

The influences of Jefferson's character have been sensibly impressed on the people of this country from the dawn of the Revolution to the present hour; and they have been, and continue to be, secondary alone to those of Washington. Our conclusion has been that his influence has produced baneful and most deprecative effects on the moral tone of our political world. His opposition to all the essential features of the Constitution, and to our present form of government, was deep-rooted, insidious, and unceasing. His political and governmental theories were eminently and dangerously Jacobinical. Deeply tinctured with the ascetic and disorganizing principles of the French Revolution, he worshipped an ideal of democracy that bor-

dered on downright Utopianism. On all points touching the practicability or durability of popular governments, he was almost fanatically radical and ultra. He advocated the largest reservations of power in favor of the people in their collective capacity, and the most unlimited right of suffrage. He mistrusted and denounced the well-guarded prerogatives of our Federal Executive, and grumbled at the least *restraining* exercise of even delegated power. And yet, during his own Presidency, his practice afforded a most singular contrast to his theories, as we think we have abundantly shown in the preceding pages. No President was ever so peremptory in demanding to be intrusted with hazardous and questionable powers, and none so arbitrary as regarded manifest infractions of the Constitution. He openly defied and overruled judicial authority; suggested to his Congress the enactment of laws whose operation threatened a violent severance of the Union; demanded and obtained a severe enforcing act; invaded the Treasury at will to aid his policy or to gratify his caprices; and boldly assumed a stretch of executive power, without precedent or parallel, by rejecting, at his single discretion, a treaty that ought to have been submitted to the Senate as required by the Constitution, and especially while that body was in session.

As the founder and leader of the Democratic party, and the consequent promoter, originally, of the fierce party dissensions which have since distracted the country, we are forced to pronounce the representative example of Jefferson pernicious beyond computation. We regard the influence and progress of that party as eminently deleterious to the political welfare of the Union, and as the incipient step and prime mover towards a severance of the States—if, indeed, that calamity shall

ever befall us. Their disorganizing and pestilential teachings began with the very dawn of the government. The democratic members of the Convention which formed the Constitution maintained, during its session, an active correspondence with Jefferson on each and every element proposed as its basis. Their cabals and caucuses were as frequent as the meetings of the Convention. Their efforts were directed to the adoption and introduction of Jacobinical features calculated to countervail and to mar all that was practical, or that looked to durableness. Regarding society more as it ought to be, than it is, or ever has been, or is ever likely to be; seduced by theories more plausible than solid; applying to a free elective government, deriving all its powers and authorities from the voice of the people, maxims and precautions calculated for the meridian of monarchy; they turned all their views and directed all their influence towards depreciating and weakening the Federal Government. Against this, as the Hydra-headed monster of all their professed apprehensions, their combined batteries of talent and of national influence were solely directed. Had they prevailed, the General Government would have been completely shorn of all its efficiency; and mankind would have been treated with the singular spectacle of a powerful and growing people, belonging in classes to thirteen separate and independent sovereignties, seeking a precarious union in an instrument allied with anarchy and founded in the grossest radicalism. But what they failed to obtain directly, they have contrived and managed to effect indirectly, with almost perfect success. The history of the country has clearly shown that the root of evil and the elements of destruction lie, not in the Federal Government, but in perverted construction of the rights and powers of the State Gov-



ernments, and supposed reservations to the people. To secure the ascendancy and popularity of this doctrine, the Democratic leaders have fallen on any and every species of party tactics, as cases or circumstances warranted. They have resorted, alternately, to a latitudinous construction of the Federal Constitution, and to a strict construction; first, they have contended for restriction, and then for unlimited extension of federal power; first closing the door to all constitutional admission of foreign territory, and then abruptly breaking down every barrier to acquisition and conquest, and bringing in *new States* formed out of territory reaching from the tropic of Cancer to the fiftieth parallel of north latitude, washed severally by the waves of the Atlantic and Pacific Oceans. With Jesuitical unscrupulousness, they have pursued their ambitious ends, little regardful of the means used for the accomplishment. Consistency has been reckoned a virtue only so long as it accorded with expediency. Principle has been made the handmaiden of policy. Party and power have been the watchwords through all phases of political or sectional differences, and among all the strifes of ambitious and aspiring rulers. And, as the crowning point of their incongruous system, it may be stated as a remarkable and an instructive fact, that the Democratic party, while using the whole enginery of political power to hang Burr for *suspected* designs against the *Union*, and while threatening the *Nullifiers* with the cannon of the General Government, has yet been the apologist for every popular outbreak and revolutionary movement, from the time of the Massachusetts insurrection to the Dorr rebellion in Rhode Island. The connection of Thomas Jefferson with all these disorganizing principles has been sufficiently explained in the foregoing pages. We regard him as the master-

spirit of former mischievous inculcations, and his influence as the main prompting cause of all succeeding political malversations of "the progressive Democracy." In fact, and at the best, the impartial reviewer is constrained to measure the public character of Thomas Jefferson by a rule of *selfishness* that shone conspicuous through his whole political career, and which must ever detract materially from his claims to gratitude and veneration as a statesman. And while all unite in ascribing to him great powers of mind, vast cultivation and information, and much that elicits and merits thankfulness in connection with our Revolutionary history, his memory will be mainly perpetuated, and his admirers must consent mainly to hand him down as the eldest Patriarch of radical Democracy.

With all his budding honors in the political world, Jefferson had been through life, in another and tenderer connection, a man of afflictions and sorrows. Death had visited his family circle more than once. One by one its loved members had been snatched away. While yet at the starting point of elevation, and while the halo of future honors gleamed but faintly in the distant political horizon, he beheld the grave close over all that had been affectionate and beautiful in her who had blessed his youth with her love, and made happy the earliest home of his manhood. She left him two little daughters, and the memory of her love; and these were the sole pledge and token of their union. Her memory found its shrine in the warmest affections of his heart, and his love was never shared by another. The daughters, under his paternal care, survived the trials of youth, and grew to be accomplished and fascinating women. They married; and his home and fireside were left cheerless. In a few years, the elder of the two sickened and died, before the father had

even grown familiar with her absence. This was in the meridian of his first Presidency; but the pomp, and circumstance, and splendor of high office could not assuage the anguish of a wounded heart. The blow fell heavily and unexpectedly. Henceforth his earthly affections were absorbed in the love of his only remaining child and her children. And while yet the chastening rod of death was suspended, and he was bending beneath its trying inflictions, and when the ease and emolument of office were approximating to a close, a new source of anxiety and of misfortune was sprung. Forty years of his life, and more, had been abstracted from his own and given to the affairs of the country. As property possesses no self-preserving principle, that of Jefferson had suffered seriously and alarmingly under such long neglect. He left the Executive mansion deeply embarrassed, and returned to Monticello heavily oppressed in mind and circumstances. His books, his apparatus, his literary and scientific pursuits were all impotent to chase off these mortifying reflections, and the rich treasures of intellectual research were soiled by a commixture with the less welcome but necessary employment of lottery draughts and financial calculations. The generous interposition of Congress enabled him to keep his library; and the forbearance and liberality of those he owed, added to other matters, helped him to avoid the sheriff's clutches. His estate, however, was never relieved, and his principal bequest to those he left behind consisted of the papers which compose the volumes we have just closed.

On the fourth of July, 1826, just fifty years from the memorable day which had witnessed the birth of American Independence, and simultaneously with that of John Adams, the spirit of Jefferson took its flight from earth. He died at Monticello, in the arms of his

surviving daughter, at the ripe age of eighty-three years. His last conversations showed that the waning faculties of mind were busy with the long past eventful scenes of his life. His thoughts wandered from the strifes and unpleasant personal collisions with old political friends which had blurred the latter years of his public career, and seemed to dwell amid the consecrated shades of Independence Hall, and the stirring scenes of the Revolutionary era. His last wish was "that he might be permitted to inhale the refreshing breath of another Fourth of July." And the wish was granted.



A REVIEW OF THE LIFE AND TIMES

OF

WILLIAM H. CRAWFORD.\*

AMONG the public men of the past generation who may be styled *representative* characters, few stand higher on the list than WILLIAM HARRIS CRAWFORD. His name and political character have been indelibly impressed on the history of the country, and long succeeding generations will look to him as an eminent republican exemplar. His fame, therefore, will be permanent; but the remains of his public career, owing to his peculiar temperament and habits of life, are singularly intangible, and belong entirely, as naturalists would say, to the fossil species. There was nothing in his private or public character to invite the gossipry of history—that surest method of emblazoning one's reputation. He did not belong to that class of politicians whom crowds follow and admire, of whom every penny writer has something to say, and whose journeys form one continuous and glaring pageant. He never acted for the multitude. If he had ambition to be great, it was of that elevated order that looked less to ephemeral popularity than to great and durable

\* Sketch of the Life of William H. Crawford. National Portrait Gallery. Philadelphia. 1839.

results. When the ends for which he strove had been accomplished, he did not pause, like most other leading statesmen, to preserve the means of such accomplishment. History, therefore, is barren of his deeds, and perpetuates his name only. It is true that, now and then, as we wade through ponderous tomes of the national archives, we stumble on some majestic record of his genius that shines forth from the dreary waste with surpassing splendor; or that, like some towering column among ancient and unidentified ruins, unbroken by age and erect amidst the crumbled masses around, tells of a giant race that have passed before.

The sketch before us, understood to be from the pen of his accomplished son-in-law, Mr. George M. Dudley, of Sumter county, Georgia, was not designed, as its limits evince, to be full or satisfactory. We must say, however, that the deficiency appears to have proceeded more from injudicious and unauthorized *prunings* by some witless paragraphist, than from any original omission in the article itself. The arrangement does not quite indicate the tasteful handiwork and nice discrimination which we happen to know to be characteristics of the author. We have been informed, in fact, that the sketch was unwisely mutilated, and so sheared and nipped as to entirely pervert its chief purposes and intended historical effect. At all events, however, the world is indebted to Mr. Dudley for the only authentic biography of his illustrious relative. We have, therefore, chosen to make his sketch the text of the following article; with no view, let us say, to criticism, for, under the circumstances, that would be neither allowable nor tasteful,—though it is possible that we may take the liberty of dissenting, in an instance or two, from what we candidly think to be, perhaps, some of its too ready conclusions. We design, however, not so much to

confine our objects to mere succinct biographical detail, as to briefly review the prominent features in the life of an individual reckoned among the greatest of his day, and of times which form an important epoch in the political history of the Republic. We address ourself to such task not without considerable embarrassment and distrust. The difficulties already intimated are very discouraging. Mr. Crawford left no materials on which to build any connected account of his life. His contemporaries are ready to expatiate largely concerning his greatness, but they can point to but few recorded monuments of his fame. Although twenty years have not elapsed since the period of his decease—although numbers even of the rising generation have seen and spoken with him—yet is he already shelved as the Hortensius of his time—who, while glimmeringly acknowledged as a greater than Cicero, and whose *name* will be familiar through countless ages to come, has left “not a wreck” of his genius, and lives only in tradition and in the eulogies of his rival. This is not the only difficulty. The history of the period in which Mr. Crawford figured as a statesman, apart from its mere general features, has never been compiled; and it is not only undefined, but is quite obscured from ordinary research. It embraces much collateral interest that must be patiently gleaned from scanty and scattered remnants, and which we are obliged to introduce very detachedly in the course of this review. It extends through a period which witnessed a total dissolution and absorption of one of the ancient political parties, the reconstruction of the other, and the establishment of a third of which he himself must be reckoned the principal founder, but which had not obtained its present identity and compactness when disease hurried him prematurely from the theatre of political life.

It also embraces some points personal to himself, and to other distinguished public characters, which render their evisceration and discussion quite a delicate undertaking, but which, nevertheless, ought not to be passed over unnoticed—especially by the candid and privileged reviewer. Thus much we have deemed it necessary to premise, as well to explain the meagreness of what might be otherwise regarded a prolific subject, as to advertise the reader of the more immediate purposes of this article.

Crawford was born, as we are told, in Nelson county, Virginia, in February, 1772. While yet quite a youth his parents removed to Georgia,—first to near Augusta, and afterwards to Columbia county. Here he was sent to school, and learned the ordinary English branches of education. He had scarcely attained the sixteenth year of his age when his father died, leaving the family in very reduced circumstances. Young Crawford immediately turned his yet scanty learning to active account, and supported his mother and family by teaching school, until he was twenty-two years old. At this time he began to feel a desire to obtain a classical education, and was not at all deterred, even at his comparatively advanced age, from seeking its gratification. There was, in the same county as his own little school, an academy of high repute, under the superintendence of a teacher who afterwards became famous as the instructor of the leading statesmen of the South. Even then, his obscure literary realm contained subjects who, in after years, adorned the national councils, and filled the country with their fame. That retired academy was, in fact, the nursery of Georgia's most distinguished sons, in politics, literature, and religion. The rector was the Rev. Dr. Moses Waddell, who, at a subsequent period, became widely known as



the founder of Willington Academy, in Abbeville District, South Carolina,—celebrated as the matriculating font of John Caldwell Calhoun, as also of many others whose names are eminently renowned in the land.

In 1794 young Crawford entered Carmel Academy as a student. He soon obtained the confidence and favor of Dr. Waddell, and was promoted to the situation of usher, receiving, as his compensation, one-third of the tuition money. We have heard it told of him, that while at this academy, in the double capacity of tutor and pupil, it was determined by himself and some few of the elder school-boys, to enliven their annual public examination by representing a play. They selected Addison's Cato; and in forming the cast of characters, that of the Roman Senator was, of course, assigned to the worthy usher. Crawford was a man of extraordinary height and large limbs, and was always ungraceful and awkward, besides being constitutionally unfitted, in every way, to act any character but his own. He, however, cheerfully consented to play Cato. It was matter of great sport, even during rehearsal, as his young companions beheld the huge, ungainly usher, with giant strides and Stentorian voice, go through with the representation of the stern, precise old Roman. But on the night of the grand exhibition, an incident, ominently characteristic of the counterfeit Cato, occurred, which effectually broke up the denouement of the tragedy. Crawford had conducted the Senate scene with tolerable success, though rather boisterously for so solemn an occasion, and had even managed to struggle through with the apostrophe to the soul; but when the dying scene behind the curtain came to be acted, Cato's groan of agony was bellowed out with such hearty good earnest as totally to scare away the tragic muse, and set prompter, players, and audience in

a general, unrestrained fit of laughter. This was, we believe, the future statesman's first and last theatrical attempt.

In the fall of 1796, leaving his situation in the Carmel Academy, he bent his way to the then young city of Augusta, and became principal in one of the largest schools. It was here that floating dreams of professional eminence first passed through his mind; suggesting, at the same time, more enlarged plans of accumulation. He accordingly set himself to studying the law, and pursued his task with an assiduousness and diligence that knew no abatement, and that augured a speedy and successful accomplishment. He was admitted to the practice in 1798, and the year following, with a view to seek a suitable theatre of pursuit, he removed into the county of Oglethorpe, and opened an office in the little village of Lexington, its county seat. "Such were his perseverance, industry, and talents," says Mr. Dudley, "that he soon attracted the notice of that distinguished statesman and profound jurist, Peter Early, then at the head of his profession in the Up Country, and to whom he became ardently and sincerely attached. His great professional zeal, that always made his client's cause his own, his unremitted attention to business, his punctuality and promptness in its despatch, his undisguised frankness and official sincerity—disdaining the little artifices and over-reaching craft of the profession—combined with a dignity which, springing from self-respect alone, was entirely unmingled with affectation; his honesty and irreproachable moral character, accompanied with manners the most plain, simple, and accessible, secured for him a public and private reputation seldom equalled, and never surpassed in any country." This graphic account, tallying with the whole character of the distinguished

subject, is not at all exaggeration, but is testified to by the speedy advancement of Crawford, who, indeed, after Mr. Early's entrance into Congress during 1802, might fairly be said to stand at the head of the bar of the Western Circuit.

These arduous professional duties and this severe mental discipline were not without early and abundant fruits. The greatness and overshadowing lustre of his expanding mind began soon to diffuse an influence elsewhere than in the court-room. The dull precincts of the bar, cramped jury boxes, stale law arguments, and the harsh routine of office business, abundant though it was, were insufficient to afford that scope which might satisfy the intellectual energies of such a person. The excitement of the political arena tempted him to the trial for larger honors; and in the fall of 1803 he was called by the people of his county to represent them in the Legislature of Georgia. In this station a new field of ambition was suddenly opened to the grasping intellect of Crawford; and plunging as he did forthwith into the absorbing vortex of politics, we lose sight of him as a professional man for many long and eventful years—years of triumph and of trial, of pride and of affliction.

At this period began also a new and most memorable epoch in the political history of Georgia, which, dating from Crawford's entrance into the Legislature, controlled her destiny for well nigh thirty years, and continues its influence, though in a greatly modified degree, to the present time. Indeed, it is a striking and most remarkable fact, that the grapple of great minds, stimulated by malignant and inveterate rivalry, never fails, even in the mild contests of civil life, comparatively speaking, to imprint lasting and influential traces on the age which witnesses the struggle. This is emi-

nently the case in political circles, from which, for the first time, are to be drawn the bitter elements of party. And so it was, as we have already intimated, in the present instance. At one of the sessions of the Legislature, during the time of Crawford's service in that body, it so happened that a member introduced a series of resolutions which looked to the impeachment of a leading judicial incumbent of one of the Georgia circuits. The individual thus assaulted had been long a prized friend and confidential associate of Crawford. He had been also an active and industrious opponent of another personage who was then becoming rapidly conspicuous in the political world, and whose prominent position had already enlisted the sympathy of such as were placing themselves in opposition to our distinguished subject. This was General John Clarke. Clarke, finding on the present occasion an opportunity to vent his intolerance and vindictiveness, supported the resolutions with ardor and unabating zeal. On the other hand, Crawford opposed them with the energy of fast friendship, and with a violence that betokened at once the depth of personal feeling and the indignant contempt in which he held those who were urging their adoption. As might have been expected, this fierce collision of master minds soon diverted attention and interest from the true issue, and all eyes fastened eagerly on the hostile champions. Parties and factions were formed, and the limits of social intercourse were jealously confined to those of factional sympathy. The soirées of the fashionable world were governed by like envenomed rules. Innkeepers, and publicans of all descriptions, imbibing the excitement, eschewed indiscriminate gatherings, and advertised their cheer as being intended only for those who espoused the cause, respectively, of Clarke or of Crawford. The contagion



spread through all castes and classes of society ; it, in fact, found way even to the bosom of hitherto harmonious and exclusive religious fraternities. Nor was it a strife alone of words. Forensic weapons were soon laid aside, and the rival champions, urged on by implacable and impulsive factionists, resorted to weapons of a deadlier character. A challenge to mortal combat passed and was accepted. The terms were soon arranged, the parties met, and a fight with pistols, at the usual distance, ensued. Crawford, though brave and fearless to a degree scarcely compatible with his polished amiability and amenity of disposition, was naturally awkward, nervous, and every way unqualified for a genuine duellist. Clarke was, on the contrary, a practised fighter, and highly skilled in the use of weapons, while, at the same time, of equally unquestionable courage. The result might have been anticipated. Heedless of all precautionary monitions and instructions from his friends who accompanied him to the field as seconds, Crawford took his position at the peg with the same carelessness as he was wont to swagger to his seat at the bar of a county court, exposing his left arm in a manner to catch the ball of even the rawest duellist. Consequently, when fires were exchanged, Clarke was found to be entirely untouched, while his unerring ball had taken effect in the wrist of his antagonist, horribly crushing the bones, and producing the most exquisite pain.

This shot, of course, terminated the fight ; and Crawford was removed from the field to linger for months in expiatory anguish. But so far from appeasing factional differences, the fight only served to add fuel to the flame. The news of the duel, and of its unpleasing result, spread rapidly through all portions of the State, stirring up new and fiercer elements of

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strife, and confirming and strengthening all previous animosities. Hill and vale, mountain and plain, echoed to the war-whoop of arousing factions, and rang with the angry notes of a gathering that might have startled "Clan-Alpine's warriors." Men waited not to hear or to argue the causes and grounds which divided their respective champions, but each side mustered to the banner of its favorite, and formed in line for a long, bitter, and distracting conflict. The names of the rivals were assumed as the watchwords of the two parties, and for many years afterwards every election, from that of beat constable or militia captain to that of Congressman or Governor, was decided, not with regard to principle or qualification, but by a trial of strength between the friends of Crawford and the friends of Clarke. Even after Crawford had been transferred from the councils of the State to those of the Nation, the flame of dissension was kept alive with vestal-like fidelity and tenacity; for there arose up in his place a successor who, from the first, asserted a full right to the fiery inheritance by his high-handedness and party bigotry, and whose name, when uttered even at this day, stirs up within the bosom of the old Georgian a wild association of ancient party jealousies and of long-gone personal predilections. Indeed, the election struggles of the Clarkites and the Troupites have been too recently absorbed by those of Whig and Democrat to have passed from the recollection of even the youngest of the present generation of voters.

This ferocious contest, even after one side had changed its original battle-cry, lasted continuously and with ever-increasing malignancy for twenty years. At the great State elections of 1825, victory, no longer uncertain and wavering, perched finally on the standard of the Troup party. A pitched battle, decisive in its



results as that of Pharsalia, had been fought by mutual consent. Every log had been rolled—every stone had been turned. Obscure, unfrequented county corners had been diligently scoured to swell the voting hordes. The sinks of cities had been ransacked. Cross-road and village drunkards, who had slept for months in ditches or in gutters, and whose sober moments had been as few and far between as angel visits, were assiduously excavated and hauled to the polls. The prison doors were flung open to pining and hapless debtors, who, but for this fierce war of parties, might have languished away the prime of their lives within the gloomy walls of a dungeon. Old men who had been bed-ridden for years, and who had long since shaken adieux with the ballot-box, were industriously hunted up, and conveyed by faithful and tender hands to the nearest precinct. Patients shivering with ague or burning with fever, struggled with pain long enough to cast their votes; and it is within the recollection of many now living, that drooping paralytics, unable to move from the carts or dearborns which had borne them from their couches, were served with the box at the court-house steps, by zealous and accommodating officers. Nothing, in fact, had been left undone which might contribute to bring the struggle to a decisive and unquestioned issue. Accordingly, when the day arrived, each party, marshalled by its favorite chieftain, was ready for action; and amidst drinking, cavillings, partisan harangues, quarrels, and ring fights, the polls were opened. Every minute of time was wranglingly contended for in favor of lagging voters—every suspicion was made the pretext for a challenge. But the scrolls soon showed on which side the tides of victory were rolling. The contest resulted in a complete triumph of the Crawford or Troup party, while the Clark-

ites, chagrined and crest-fallen, acknowledged for the first time that they had been fairly overcome.

When the issue of this memorable election had been fully ascertained, and disseminated through the State, all Georgia became a scene of rejoicing and revelry. Magnanimity was forgotten in the maddening mirth of triumph at the defeat of a long-despised foe. The ordinary greetings of civil life were ungenerously exchanged for taunts or exultant blusterings when in the presence of a vanquished adversary. Little children ran about singing and shouting from the very contagion of gladness. Women threw aside the needle and the shuttle to prepare for the dance and the feast. The men gave up business for merry-making; and many who had been long famed for their severe morality and ghostly manner of life, were surprised in the joyous *mêlée*, and were seen reeling about and carousing with their less austere neighbors. The day was enlivened by hilarious and gratulatory gatherings, and the night made beautiful and merry by gorgeous illuminations and garish festivities.

Such is, briefly and imperfectly, the origin and partial history of those local factional issues which so long distracted the State of Georgia, during the stirring times of Crawford's political life. During the period of their baneful ascendancy, society was awfully afflicted. Friendships were often rudely severed, families divided, and whole neighborhoods broken up and made hostile by the deplorable influences of this partisan rancor. In fact, the Presidential election of 1840 was the first contest since 1806 which possessed sufficient strength, as regarded other issues, to overcome this ancient embodiment of party warfare; and it is remarkable that, even at this day, the Democratic and Whig parties of Georgia are composed, in the main, of

these old factions—the Clarkites being mostly of the former, and the Troupites of the latter party.

At the session of 1807 the Legislature of Georgia had elected Crawford a Senator of the United States, to fill the vacancy occasioned by the death of Abraham Baldwin, a signer of the Declaration of Independence and of the Federal Constitution. This flattering mark of distinguished merit, thus early conferred on one so recently an humble and unaspiring pedagogue, evidences, in a striking manner, the brilliant dawn of those splendid talents which, while yet in the meridian of life, soon lifted him to the highest honors of public office, and gave him in the political world an influence that has survived his death. When it is stated, however, that these superior mental endowments were aided by a rare boldness and independence of character and of opinion, it will not be difficult to account for this rapid preferment.

The political sentiments of Crawford were decidedly liberal, and, in some respects, differed widely from those which have been promulged and advocated as the peculiar tenets of the Jefferson school. He marked out his own course, and pursued his own conclusions, little regardful of those party trammels which have generally obtained a controlling influence with prominent national politicians. Accordingly, at an early period after his entrance into the Senate of the United States, he joined issue with William B. Giles, of Virginia, the veteran debater of that august body, and the acknowledged spokesman of the Jefferson Administration. The contest was on the Embargo question; Giles earnestly advocating its policy, while Crawford opposed it as a measure fraught with mischief and distress, and a useless and unwise preliminary to a war already virtually begun, and which was clearly inevitable. Craw-

ford had very little tolerance for concessions and dilatory action, in a cause which he conceived to have been closed to amicable adjustment. He was no half-way man. He never paused to compromise, when he could see his way to a favorable result by risking a less indirect procedure. In fact, Crawford was in favor of declaring war from the moment that the British Government refused to make proper amends and satisfaction for the unwarrantable attack of the Leopard on the Chesapeake, off the harbor of Norfolk; and, in after years, did not scruple to charge Madison with ambiguousness on the point of war or peace in his celebrated message of 1812, characterizing it as akin to the sinuous and obscure declarations of a Delphic oracle.

The Embargo was the darling scheme, along with the Non-intercourse Act of 1809, of the Jefferson and Madison Administrations. Crawford was thus thrown into an attitude of partial opposition to the Democratic leaders of that day, although far indeed removed from any fraternizing sympathy with the then unprincipled and rancorous remnant of the old Federal party. From these differences, slight as they were, sprang the germs of that conservative, national party which, soon gathering compactness under the lead of Madison, of Clay, and of the younger Adams, has opposed, ever since, a steady and unyielding barrier, amidst varying fortunes, to the unbridled radicalism of Democracy, as also to the baneful extremes of Federalism. The declaration of war, it may be observed, was not favored by Jefferson. With him the milder and, as he thought, scarcely less effectual remedy of spirited retaliatory measures, as concerned the British orders in Council and the French decrees, was the preferred line of conduct. Madison, long his warm adherent and premier cabinet



officer, had his doubts and his difficulties. The multiplied aggressions of the British Government had, indeed, stirred up within the American nation fierce and ominous fires of resentment. Still they perceived that the business men of the country deprecated hostilities. New England had gone quite to the point of rebellion on account of the Embargo and restrictive measures. She was now loud in her denunciations of war. The commercial cities of the North were scarcely less reconciled to the commencement of hostilities that would certainly depress and cripple them. The cotton-planters and the tobacco-growers dreaded the ruinous depreciation in the then high price of their staple productions, which was sure to result from a declaration of war. The Federalists, rejoiced to take hold of aught that might offer to prop their sinking fortunes, or to worry their exultant opponents, harangued bitterly against the rupture of peaceful relations with England, and bullily defied those who advocated the last resort. The Democrats hesitated; and although Madison afterwards broke through these procrastinating counsels, and staked his administration on the issue of the war, yet there was a time when his delay had called forth no light reprehension from those of his political friends who coincided with Crawford. His decision lost him some friends and gained him legions of malignant enemies; but, at the same time, it operated to change wholly the original complexion of the Jeffersonian Democracy, and gave vitality and impulse to a third party, which had suddenly emerged from the chaotic political elements, under the bold lead of William Harris Crawford. But in 1811 the transition had been powerfully aided by the position which had been taken by Crawford and his Republican friends with regard to the question of rechartering the Bank of the

ture and approval, with a decent respect to the sharp conflicts of opinion among his friends, demanded an opinion from each of his four ministers. Three of them, at his request, reduced their ideas to writing. Knox, who was a poor hand with the pen, gave his in conversation, and they were found to coincide with those of Hamilton. The Attorney-General, Randolph, sided with Jefferson in an unqualified opposition to the scheme. How far the personal animosities and differences of the two Secretaries may have affected this great public interest, may never be known. At all events, Washington decided according to the views of Hamilton, and signed the charter. He carried along with him a sufficiency of the Republican influence to rescue the scheme from the odium of an extreme Federal measure; and thus the question had rested from 1791 to 1811.

At this session, to the confusion and dismay of the ultra Democracy, the friends of the Bank again entered the arena, and applied for a renewal of its charter, under the advice and lead of Crawford. Crawford had not taken his position inconsiderately or unwarily. He was, in his sentiments, a firm Republican and supporter, in the main, of the Jefferson and Madison administrations. But his mind was of too comprehensive and active a cast to be fettered by narrow party ties, when reason and experience pointed to a useful result. In tracing the history of banking institutions, he was doubtless forcibly struck with the fact that they had found admission and patronage among the principal and most enlightened commercial nations; that they had successively obtained in Italy, Germany, Holland, England, and France, as well as in the United States; and that, after a candid estimate of their tendency and an experience of centuries, there existed not a doubt

about their utility in the countries where they had been so long established and so fairly tried. Wherever they had been created and properly sustained, industry and trade had been indebted to them for thrift and important aid, and Government repeatedly under the greatest obligations to them in dangerous or distressing emergencies. In reviewing the history of the Bank of the United States, he found that the greatest amount of good had followed its establishment, and that for twenty years every department of industry, as well as of government, had received timely aid and advantages from its beneficent operations. These facts weighed heavily with one of his eminently practical constitution, whose mind, directed always to great and standard measures, was wholly incapable of being dwarfed to the pitiful dimensions of insane factious opposition, and was impervious alike to the threats or the allurements of sectarian predilections. He decided promptly on his course of action, and determined to advocate the renewal of the expired charter openly and zealously. With him were ranged Albert Gallatin, Secretary of the Treasury, Pope, the Senator from Kentucky, and some few more distinguished Democrats or Republicans. But against him there appeared a formidable host of talents and influence, and the entire prejudices of the Jeffersonian sect. The principal of these opponents were Smith of Maryland, and Henry Clay, the Senatorial colleague of Mr. Pope. William B. Giles sided with the opposition, but made a speech so rambling and tortuous as to leave his opinions on the main question well nigh undefined, and which his then coadjutor, Clay, wittily characterized as having "discussed *both* sides of the question with great ability, and as having demonstrated to the satisfaction of all who heard him, both that it was constitutional and unconstitutional,



highly proper and improper to prolong the charter of the Bank."

Crawford was chairman of the committee to whom the application of the stockholders, praying Congress to renew the charter of the Bank, had been referred. He applied himself to the duties of his station with an ardor that showed his disregard of party associations where the public good was concerned, and with a zeal and fidelity that eminently evinced the depth and sincerity of his convictions. He fortified his cause and himself with every necessary extrinsic aid; took the elaborated opinion of the Secretary of the Treasury; and consulted extensively with deputations from the commercial and industrial interests of the great sections of the Confederacy. But the mastery of extrinsic facts did not alone serve to fit him for the ensuing struggle. The benefits arising from the establishment and continuance of the Bank were unquestionable. The necessity and expediency of renewing the charter could not be successfully controverted. The battle had to be fought on the ramparts of the *Constitution*, and of this Crawford was fully aware. He had calculated that the opposition would direct their main efforts against the *constitutionality* of the measure, and thus drive the petitioners out of Congress without allowing them to bring in their array of popular evidence and convincing facts. But he had prepared to meet them at the very threshold, and armed himself with a panoply of reason and argument which, supported by unquestioned authority, effectually dislodged his adversaries from their defiant position, and threw them at once on the defensive. He courted, and evidently desired them to attack; but, failing in this, he was nevertheless fully prepared to assume the offensive.

On the 5th of February the report of the Commit-



tee had been made to the Senate, and a majority concurred in the motion to accompany the same with a bill to extend the expired charter of the Bank. The bill was subjected to some amendments, and its consideration postponed for one week. On the morning of the 12th, Mr. Anderson, of Tennessee, moved to strike out the first section, but declined giving any reasons in support of his motion, on the ground that the question had been doubtless already decided, in the mind of every Senator, as of every man in the nation. This course at once unfolded the policy of the opposition. Crawford easily perceived that, confident of numerical strength, they had decided either to provoke assault, or else quietly to demolish the bill section by section. He replied to Anderson, by observing that such a method of dispatching business was novel and astonishing; that a bill had been presented to the Senate to continue the operation of an institution of twenty years' standing, whose good effects were universally admitted, and whose influence on the public prosperity was not to be denied; and yet, in place of giving any reason against the continuance, the Senate was told that public sentiment had decided the question. He appealed to the mover if this was a fair and magnanimous mode of procedure? How was it possible, he asked, for the friends of the bill to meet objections never made? When a question of such magnitude was to be decided, he contended that it was proper to offer some reasons why the bill should be rejected. It was answered by General Smith, that there was nothing novel in the course suggested by the Senator from Tennessee; that it was parliamentary to make such motion; and that it always became the introducer of a bill to give some reasons to induce the

Senate to give the same its support. Anderson concurred, and again repeated his former motion.

Crawford promptly rejoined. He intimated that his remarks had been misconceived; that he made no complaint against the motion; but that it was not usual in any deliberative body that a chairman should be called on to state the reasons which induced a committee to report any provision to a bill, when a motion was made which went to put an end to any discussion of the detail. "Gentlemen," he said, "were about to defeat the bill, and it was fair that they should assign their reasons. How could he foresee their objections? Or if, perchance, he should foresee and answer them, would not gentlemen say that such were not the reasons which influenced their votes? It was like pursuing a *will-o'-the-wisp*—you can never arrive at the true object of pursuit."

He was again answered by Gen. Smith, that it was always the duty of a committee to inform the Senate of the reasons which induced them to report a bill; that it was expected by himself and others, that the chairman would favor them with an argument to induce their support of the bill, and that *then* he might consider of his duty in making answer.

This last rejoinder fully exposed the plan of action which had been agreed on by the opponents of the bill. It was clear that they did not intend to take the initiative in discussion, and Crawford persisted in his endeavor to provoke assault no longer. He asked for no postponement, he craved no further time for preparation, but proceeded forthwith, and to the surprise of the opposition, to deliver his views in a speech which, for vigor and originality of thought, cogency of argument, and power of intellectual research, has never been surpassed in any parliamentary body, and which

fixed his claims to greatness. He begins by boldly laying down the premise that the Federal Constitution had been so much construed as if it were *perfect*, that many of its best features were about to be rendered imbecile, and that prejudice was thus tending to actually destroy the object of affection; that when this was carried so far as to endanger the public welfare, it was necessary that its *imperfections* should be disclosed to public view; which disclosure, while it might cause the adoration to cease, would not, therefore, necessarily place the Constitution beyond the reach of ardent attachment. He follows up this startling declaration with a severe analysis of the Constitution, to prove its force; showing that the very numerous *incidentalisms* which appertain to its express grants of power, clearly demonstrate the *fallibility* of the instrument, with all its just claims to our respect and deep veneration. After going through thus with the entire list of the specified powers of Congress, adroitly using each to illustrate his premise, he finally seizes on the fourth article of the Constitution to prove "the absurdity," as well of the idea of its perfection, as of the construction that the enumeration of certain powers excludes all other powers not enumerated. His method of reasoning this point is so novel, so interesting, and so resistlessly convictive, that we shall venture to transcribe the portion which embraces this head of his speech.

"This article," he says, "appears to be of a miscellaneous character, and very similar to the codicil of a will. The first article provides for the organization of Congress; defines its powers; prescribes limitations on the powers previously granted; and sets metes and bounds to the authority of the State Governments. The second article provides for the organization of the Executive Department, and defines its power and duty. The third article defines the tenure by which the persons in whom the judicial power may be vested shall

hold their offices, and prescribes the extent of their power and jurisdiction. These three articles provide for the three great departments of government, called into existence by the Constitution; but some other provisions *just then* occur, which ought to have been included in one or the other of the three *preceding* articles, and these provisions are incorporated and compose the *fourth* article. The first section of it declares, that 'full faith and credit shall be given, in each State, to the public acts, records, and judicial proceedings of every other State; and the Congress may, by *general* laws, prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.' In the second section it declares that a person charged, in any State, with treason, felony, or other crime, who shall flee from justice, and be found in another State, 'shall, on demand of the executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.' A similar provision is contained in the same section, relative to fugitives who are bound to labor, by the laws of any State. In the first case which has been selected, express authority has been given to Congress to prescribe the manner in which the records, &c., should be proved, and also the effect thereof; but, in the other two, no authority has been given to Congress; and yet the bare inspection of the three cases will prove that the interference of Congress is less necessary in the first than in the two remaining cases. A record must always be proved by itself, because it is the highest evidence of which the case admits. The effect of a record ought to depend upon the laws of the State of which it is a record, and therefore the power to prescribe the effect of a record was wholly unnecessary, and has been so held by Congress—no law having been passed to prescribe the effect of a record. In the second case there seems to be some apparent reason for passing a law to ascertain the officer upon whom the demand is to be made; what evidence of the identity of the person demanded, and of the guilt of the party charged, must be produced, before the obligation to deliver shall be complete. The same apparent reason exists for the passage of a law relative to fugitives from labor. According, however, to the rule of construction contended for, Congress cannot pass any law to carry the Constitution into effect in the two last cases selected, because express power has been given in the first, and is withheld in the two last. But Congress has nevertheless passed laws to carry those provisions into effect, and this exercise of power has never been complained of by the people or the States."



The speech then proceeds with an able argument to prove that there must necessarily exist, in the Constitution, powers derivable from *implication*. He contends that it is only by *implication* that Congress exercises the power to establish a Supreme Court, because the *express* grant is limited, as concerns the action of Congress, only to the creation of "inferior tribunals." Thus, he argues, is derived the sole power to accept or purchase places for the erection of forts, magazines, dockyards, and arsenals; as also the power to build light-houses, and to legislate for the support of the same. These all being clearly *implied* powers, and having never excited complaint when exercised by Congress, he maintains that the same ancient and thoroughly settled rule of construction will leave Congress with the power to create a Bank, derivable from the clause which gives the power "to lay and collect taxes, duties, imposts, and excises." He argues:—

"A law to erect light-houses is no more a law to regulate commerce, than a law creating a Bank is a law to collect taxes, duties, and imposts. But the erection of light-houses tends to facilitate and promote the security and prosperity of commerce, and, in an equal degree, the erection of a Bank tends to facilitate and insure the collection, safe-keeping, and transmission of revenue. If, by this rule of construction, which is applied to light-houses, but denied to the Bank, Congress can, as incidental to the power to regulate commerce, erect light-houses, it will be easy to show that the same right may be exercised as incidental to the power of laying and collecting duties and imposts. Duties cannot be collected, unless vessels importing dutiable merchandise arrive in port; whatever, therefore, tends to secure their safe arrival may be exercised under that general power: the erection of light-houses does facilitate the safe arrival of vessels in port; and Congress can, therefore, exercise this right as incidental to the power to lay imposts and duties."

Pursuing this course of syllogism and logical deduction, he goes on to argue that the creation of a

Bank is necessary and proper, as the *very best means* to collect, safely keep, and disburse the public revenue; not because the National Government is actually dependent on a Bank, but that it is materially aided by a Bank, and that it must, therefore, be a constitutional agent indirectly or impliedly contemplated as necessary. Adverting to the idea that the States have reserved to themselves the exclusive right of erecting Banks, he boldly promulges the doctrine that, so far from such power having been reserved, the States are actually prohibited by the Constitution from exercising this power. He says:—

“In the tenth section of the first article of the Constitution, it is declared, among other things, that no State shall coin money, emit bills of credit, or make any thing but gold and silver a tender in payment of debts. What, sir, is a bill of credit? Will it be contended that a bank bill is not a bill of credit? They are emphatically bills of credit. But it may be said that the States do not, by the creation of banks, with authority to emit bills of credit, infringe upon the Constitution, because they do not emit the bills themselves. If they have not the power to emit bills of credit, *à fortiori*, they cannot delegate to others a power which they themselves cannot exercise. But, sir, according to the maxims of law and sound reason, what they do by another, they do themselves.”

Leaving the field of solid constitutional argument, the speaker next proceeds to discuss his proposition with reference to its alleged party connections, and, incidentally, as regards the competency of a State Government to resist the establishment, within its limits, of a branch of the United States Bank. At the time that the constructive rules obtained which authorize the erection of a Bank as the fiscal agent of the Government, he contends that party, in its present sense, was unknown; that the Constitution itself was just framed, and not beyond the influence of unquestioned

first impressions ; and that the Bank had then been sanctioned by the best authorities, and in the best days of the Republic. After contrasting those purer times with the rancorous scenes in which he was then mixing ; denouncing the intolerance and vindictiveness of the then "Democratic presses ;" and protesting against the illegal interference of certain "great States" with the regular operations of Congress, he gives vent to the following splendid philippic :—

"The Democratic presses have, for more than twelve months past, teemed with the most scurrilous abuse against every member of Congress who has dared to utter a syllable in favor of the renewal of the Bank charter. The member who dares to give his opinion in favor of the renewal of the charter, is instantly charged with being bribed by the agents of the Bank—with being corrupt—with having trampled upon the rights and liberties of the people—with having sold the sovereignty of the United States to foreign capitalists—with being guilty of perjury by having violated the Constitution. Yes, sir, these are the circumstances under which we are called to reject the bill. When we compare the circumstances under which we are now acting, with those which existed at the time when the law was passed to incorporate the Bank, we may well distrust our own judgment. I had always thought, sir, that a corporation was an artificial body, existing only in contemplation of law ; but if we can believe the rantings of our Democratic editors, in these great States, and the denunciations of our public declaimers, it exists under the form of every foul and hateful beast, and bird, and creeping thing. It is a *Hydra* ; it is a *Cerberus* ; it is a *Gorgon* ; it is a *Vulture* ; it is a *Viper*. Yes, sir, in their imaginations, it not only assumes every hideous and frightful form, but it possesses every poisonous, deleterious, and destructive quality. Shall we, sir, suffer our imaginations to be alarmed, and our judgments to be influenced by such miserable stuff ? Shall we tamely act under the lash of this tyranny of the press ? No man complains of the discussion in the newspapers of any subject which comes before the Legislature of the Union ; but I most solemnly protest against the course which has been pursued by these editors in relation to this question. Instead of reasoning to prove the unconstitutionality of the law, they charge members of Congress with being

bribed or corrupted; and *this* is what they call the liberty of the press. To tyranny, under whatever form it may be exercised, I declare open and interminable war. To me it is perfectly indifferent whether the tyrant is an irresponsible editor, or a despotic monarch."

But Crawford was not content even thus to rest his case on the solid basis of primitive republican authority. Assuming that the Democratic or regular Jeffersonian party were opposed, on principle, to the establishment of a Bank, he proves that their public acts give the lie to their opinions, inasmuch as this same party indirectly sanctioned the Bank by establishing a branch in Louisiana in 1804, and, in 1807, by passing laws to punish offences of counterfeiting, or otherwise improperly interfering with the Bank monopoly; and this, too, with such unanimity, that the bill glided through both Houses without a call of the yeas and nays on its final passage, or any of its intermediate stages. And it is under this head of the speech that, speaking of the right of States to oppose the erection of branch Banks within their borders, we find the following emphatic and unqualified declaration of opinion on a point which, so far as the name and authority of our distinguished subject may be regarded, must startle and disconcert the wild secessionists and ultra States' rights men of the present critical times:—

"Permit me, sir, to make one or two observations upon this competency of the State Governments to *resist the authority or the execution of a law of Congress*. What kind of resistance can they make, *which is constitutional*? I know of but *one kind*—and *that is by elections*. The People, and the States, have the right to change the members of the National Legislature, and in that way, *and in that alone*, can they effect a change of the measures of this Government. It is true, there is another kind of resistance which can be made, *but it is unknown to the Constitution*. This resistance depends upon physical force; it is an appeal to the sword; and *by the sword* must that appeal be decided, and not by the provisions of the Constitution."



After a concise and lucid exposition of banking principles as illustrated and developed in connection with the history of many of the States, and the special benefits to be derived from a National Bank, the distinguished speaker, towards the end of his argument, notices the objection raised by many to a Bank, because a portion of the stock may be owned by foreign capitalists. Formidable as this objection may at first seem, he seizes and wields it as an affirmative argument, proving that what has been so generally deemed a disastrous policy, is really an advantage to the country. He argues that if, by investing their principal means in an American institution, dependent entirely on the will of the American Government, and existing by the sufferance of the American people, foreigners acquire any influence over such institution, it is their *interest* to exert the same in our favor. A country in which the capital of foreigners is employed, and whose Government can, at any moment, lay its hands on the same, must of necessity possess more influence with these foreigners than they possibly can over us or to our injury; besides the important fact that, in case of apprehended war between their nation and ours, self-interest would impel them to exert a beneficial influence in favor of that which holds their money.

The conclusion of this finished argument is worthy of its principal features and main body, and is eminently characteristic of its author:—

“Sir, we have the experience of twenty years for our guide. During that lapse of years your finances have been, through the agency of this Bank, skilfully and successfully managed. During this period, the improvement of the country and the prosperity of the nation have been rapidly progressing. Why, then, should we, at this perilous and momentous crisis, abandon a well-tried system—faulty, perhaps, in the detail, but sound in its fundamental principles? Does

the pride of opinion revolt at the idea of acquiescing in the system of your political opponents? Come! and with me sacrifice your pride and political resentments at the shrine of political good. Let them be made a propitiatory sacrifice for the promotion of the public welfare, the savor of which will ascend to heaven, and be there recorded as a lasting, an everlasting evidence of your devotion to the happiness of your country."

This speech, and the one which followed a few days afterwards from the same source, proved to be unanswerable in every respect. Crawford had forestalled and neutralized the whole plan of argument in opposition, both within and without the pale of the Constitution. He had gone over the whole ground, and surveyed it in its every point, before he engaged in the conflict of debate. Consequently, the speeches of his opponents which followed the delivery of his own, are mostly discursive and declamatory, rarely ever argumentative. They did not bring forth a solitary new objection, although, as we have already intimated, the speakers were among the most talented men of the country. Their efforts seemed to be mainly directed with a view to defeat the bill by conjuring up against it long dormant party prejudices, and to enlist all the rabid animosities of political warfare. And so irrefutably had Crawford planted his positions, that even Henry Clay, with his spicy variety and raciness, was forced to the unworthy resort of meeting argument with the usual demagogical appeal to the lower and baser prejudices of the mind. But, at the same time, it is not unlikely that the boldness and independence displayed by Crawford on this occasion, served first to attract and wean him from the ultra Democracy of the true Jeffersonian school, and to direct his ardent and high-toned ambition to the attainment of great political purposes and ends, which rose above the circumscribed and im-

practicable views of the radical sect in whose opinions he had been raised.

The discussion, however, was not altogether of a peaceful and quiet character. Most of the opposition speakers, aware of Crawford's extreme sensitiveness and irascibility of temper, were careful to avoid all exceptionable allusions to the differences of opinion which separated him, on this question, from the main body of his political friends, and to eschew all course of remark which might induce unpleasant personal application. But Whitesides, a Senator from Tennessee, was not so prudent and forbearing, and declared, in the course of a very indifferent speech, that members of the Democratic party who were now found making common cause with the friends of the Bank, must be regarded as political apostates. This remark stung Crawford to the quick, and aroused at once that deep sense of resentment which possesses all spirited persons who are conscious of honest motives. In reply, he denounced the use of such language, in connection with a member or members of the Senate, as indecorous and unbecoming; declaring that no one should, without the walls of the chamber, apply such to him with impunity. Whitesides attempted to exculpate himself by an explanation; but explanation had then been offered too late to restore friendly feeling. He did not deny having used the expression, and Crawford persisted in denouncing it as an assertion made without the proof to sustain it, and which was plainly contradicted by the record. This closed all doors to an amicable adjustment, and, so far as appears, Whitesides made a merit of submission to the denunciation.

It is known that the bill, reported by the committee, failed to pass at the session of 1811. Crawford, therefore, did not succeed in accomplishing his main

object, although he paved the way for a resuscitation, at a future session of Congress, of the expired charter, and the stand he had taken lent a support to the Bank which sustained its political fortunes through many years of trials and struggles. But the debate, in view of the previous party relations of those who participated in it, gave rise to political events of the most important and permanent character. The whole project of the National Bank was conceded to Federal paternity. This fact at once arrayed against it the entire forces of the Democratic or Jeffersonian party, and among these was James Madison, then President, though known to be less attenuated in his opinions than the illustrious leader and founder of that hide-bound sect. Crawford had entered the Senate, a member of the same party, but, as we have seen, crossed swords with its prominent champion, on a vital issue, at the very first session. The gap thus made was never fairly closed; and although Crawford was reckoned an anti-Federalist during his entire public career, it is yet a remarkable fact that he never acted with the Democratic party on any of the important issues at stake. When, therefore, in 1811, he was put forward as the leader of the Bank party, it became evident that a confusion of parties, already foreshadowed in 1808, must speedily ensue. The main body of the Federal party gladly followed his lead. The prominent liberal Democrats took their stations by his side. At the session of 1816, the Bank charter, thus aided by this timely co-operation of dissentient factions, was passed. In this manner a third party began slowly to emerge from the confusion; for the largest portion of the Federalists, although co-operating with their opponents on the Bank question, had marched off under the anti-war banner, sheared, however, of its brightest ornaments, and of its most patriotic and lib-



eral members. While, then, the new party did not absorb this rancorous phalanx, their ranks were soon swelled by important accessions from the Democratic fold. Chief among these was President Madison, who, after signing the Bank charter, became its hearty and powerful advocate, and, of course, approached Crawford with every demonstration of confidence and political sympathy. Clay soon followed, and publicly announced, as he has repeatedly done since, his entire change of opinion on the Bank question; while, on the floor of the House of Representatives, Calhoun himself was recognized as the prime mover and leader of those who favored the re-establishment of the Bank.

These events gave birth to the Whig party, which, soon gathering compactness and strength, has exercised great influence in the political world from that day to the present. Men may since have changed, and run the gauntlet of political tergiversations; but the party is essentially the same, and at its head may still be recognized many who were principal actors in its original formation.

It is painful to pause, at this interesting period of Crawford's political history, to record the unwelcome fact that his opinion, as concerned the constitutional power of Congress to charter a Bank, underwent in his latter life an entire change. His great speech in support of the Bank had not been successfully answered at the time of its delivery. It gave birth to an influence that shortly afterwards created the elements of a new party organization, converted to its opinions many of the most distinguished of the Bank opponents, and brought about a train of legislation that established the Bank as one of the cardinal means of carrying into effect the granted powers of Congress. This legislation remained unaltered, and almost undisturbed, for nearly

twenty years after the charter of 1816, during which time the Bank had faithfully and correctly transacted all the fiscal business of the Government; and at last its political fortune had only gone down before the selfish animosities of jealous politicians, and the indomitable will of an equally implacable and intolerant party chieftain. During all this long period Crawford was alive, in retirement, at his rural seat of Woodlawn. His Bank speeches, if they had not made for him all the political consequence he ever enjoyed, had at least first introduced him to the nation, and laid the foundation of his greatness. The fruits of his bold exertions and labors were manifested on all sides, and in every quarter of the Union, by an unparalleled progress of general prosperity. He had made the Bank a favorite with the nation, and, in the outset of his brilliant career, had staked his fortunes on its single issue. Long years rolled away, and his fame became identified with this first object of his public devotion. But time, which had developed the full scope of his policy, verified his expectations and predictions, and crowned his efforts with unsurpassed success, had touched him with a heavy and blighting hand. Disease had made rapid encroachments, and dealt him a blow from which he never recovered. Artful and unprincipled men, seeking his confidence under the guise of friendship, had abused his weaknesses and inveigled him in unpleasant personal controversies, which subjected him to the merciless assaults of ancient political enemies whose rancor he had been led to provoke, and which grew to be too serious, too bitter, and too intricate in their final connections, not to dislodge an equanimity which, never very settled, had now been so severely ruffled by disease. It so happened, too, that Clay and Calhoun, with whom he was then so fiercely engaged, and origi-

nally his opponents on the Bank question, had become of late the peculiar friends and guardians of the Bank interests. It is not, therefore, surprising that, under such circumstances, he should have been dispossessed of his calm judgment and discretion—especially when it is further considered that the varying tide of politics had thrown him alongside of those who were moving their whole official and personal influence to the destruction of the United States Bank.

It was at such a time, and in the midst of such exciting events, that the world heard first of Crawford's change of opinion on this question. It occurred just before the close of his life, and after he had been in close retirement for more than seven years, during which time the whole complexion of parties and of politics had undergone a change, leaving no outward discernible marks of the eventful era in which he had figured. His immediate circle of intimate and confidential friends were all opposed to a Bank. A distinguished member of Congress from Georgia, his early friend and political follower, was leading opposition to the Bank in the House of Representatives, and against him, in favor of the Bank, was arrayed the entire South Carolina influence, headed by McDuffie, who had just publicly assailed Crawford's veracity on a delicate and important point. Thus was presented to him the unwelcome spectacle of enemies sheltering themselves from overthrow behind the solid ramparts of his own previous opinions, while his friends were being daily confused and driven off by the exhibition of this proof armor which himself had forged. It would be attributing to him more than human endowments to suppose that these facts did not materially influence the apparent change of opinion to which we have adverted.

About this time, as our information unfolds, Craw-

ford, in his capacity of Circuit Judge, went over to the county of Elbert for the purpose of holding the semi-annual term of its court. He staid there over night, as had long been his custom, with an ancient and confidential friend, himself an active and zealous politician. Conversation turned on the proceedings of Congress, as regarded the Bank, and, incidentally, concerning his own former political relations with that institution. During its progress, the host adverted to a copy of the debates, in his possession, on the formation of the Federal Constitution, and its adoption by the States. The book was placed in Crawford's possession; and then it was that recently engendered prejudice found, as it was thought, a genial and strong covert behind which to plant and sustain the change of opinion so much desired by friends, incautiously excited, and perhaps so long meditated by the veteran statesman himself. These debates show, among other things, that the framers of the Constitution failed to pass a resolve giving to Congress the express power of chartering corporations. The importunities of friends, powerfully aided by the very natural bias of personal resentments, induced him to seize on this as the pretext for a change; and as conviction is not difficult where inclination leads the way, the change was easily accomplished and was soon announced. This account of so strange a revulsion of opinion, once, in the zenith of intellect and of life, deeply entertained and cherished, is fully confirmed both by his own pithy letter to the editor of the *Savannah Republican*, and by the admission of Mr. Dudley in the sketch to which we have elsewhere briefly adverted. It is an account well worthy of a nice and scrupulous observation; and we should scarcely deem our task to be fairly fulfilled did we not address an effort to that effect. The justice of history requires,



especially at the hand of impartial and candid reviewers, to be fully vindicated in connection with one whose opinions will inevitably exercise great influence with the future generations of the Republic, as they have eminently done with those of his own times.

It is true that the Convention of 1787 failed to engraft within the *express* powers of the Federal Constitution the power of chartering corporations. But it is equally true that a proposition to invest Congress with the *direct* power of erecting forts, arsenals, and dock-yards, also failed.\* And yet Congress has always exercised, and must continue to exercise both powers. The principle of implication reaches and covers both cases, and we contend that Crawford's own argument, to prove the existence of implied powers, is irrefutable. The context and tone of the Constitution tend clearly to show that only general and cardinal powers were intended to be expressly granted; for to have burdened a written form of government with the distinct recitation of every grant necessary to put in operation the whole machinery of legislation, would have been to swell the present admirable limits of the Constitution into crude, indigestible, and impracticable dimensions; would have sheared it of that remarkable simplicity and comprehensiveness which render it so accessible and practical, and would have entailed upon the country a tome of Institutes or Pandects as intricate as those of Justinian, instead of establishing a constitution as the *fountain* from which to draw all proper laws. The grant "to regulate commerce" is an elementary and cardinal grant of power, and needs to be amplified by all proper species of legislation tending to promote the ends of commerce, in order that it may be rendered

\* Viz., in the rejection of Pinkney's draft. The power was afterwards made an *incidental* one.

tangible and operative. So also with the power "to establish post-offices." A post-office would not be desirable without the supervision of a postmaster; and this officer, by the will of Congress acting under the implied power drawn from this clause, is appointed by the Executive or his Cabinet. These two instances are sufficient to show the *nature* and *character* of the Constitution, and fully establish Crawford's own former position, "that the enumeration of certain powers does not exclude all other powers not enumerated."

How then could the bare fact, that the Federal Convention of 1787 had rejected a proposition to invest Congress with the *express* power of chartering corporations, while the same Convention had rejected similar propositions as applied to other enumerated grants, and while his own argument on the point, more than twenty years previously, still remained without answer,—how could this naked fact operate to produce a change of opinion so sudden and wonderful in Crawford's mind, as regarded the constitutionality of the Bank? A change on this point involves a change of all his former ideas concerning the character and context of the Federal Constitution; and the fact that the Convention had rejected the proposition to insert, *directly*, the power to erect forts, arsenals, and dock-yards, similarly construed with the fact which induced his change of opinion on the Bank question, would have compelled him to deny all such powers to Congress. The labors and the reflections of his whole political career, directed, as they were, with an energy and talent that never stopped short of complete satisfaction, would thus have been forced to succumb to the unsettled impressions of an intellect, shorn by disease of its meridian strength and lustre, and naturally impaired, to some extent, by long retirement and premature old age. Our admira-

tion for Crawford's character and talents, our sincere respect for that greatness which filled the world with his fame, would forbid us rashly to yield the ability of the splendid argument which distinguished his Senatorial career, to the less studied and undigested opinions of his latter years.

There are, moreover, very strong reasons for supposing that this fact, alleged in after years as the cause of his change of opinion on the constitutionality of the Bank, could not have weighed very heavily with him at the period of 1811. He may not have then examined its history as minutely as he did afterwards; but the fact that such proposition had been rejected in the Convention, was evidently before him. It was alluded to in the debates which first occurred in connection with the charter of the Bank in 1791. It was incidentally brought up in answer to his own speech of 1811. His investigations must have brought the fact to his eye in the elaborate opinions officially submitted by Edmund Randolph and Jefferson, when required to do so as cabinet officers by President Washington; not to name that of Hamilton, who argues the point at considerable length. The contents of these papers were known well to the politicians of the Revolutionary era. Besides, Crawford was in the habit of frequent intercourse with members of the Convention who voted on the very question mooted, and from whom he must have learned the history of the proceeding. We yet find no allusion to the matter in either of his speeches; and the fair conclusion is that the fact then weighed very lightly in his estimation. And why should it not? How could it be regarded in a serious view? Ought not the Constitution to be decided on by the import of its own expressions? Crawford was too astute a politician not to be made aware of the evil consequences

which might result, if an obscure and scantily reported history, as to certain matters which occurred in the Convention, shall govern the construction of the Constitution. The instrument, like all other written forms, is entitled to a fairer and less attenuated measure. All must admit that there are incidental powers belonging to the Constitution. If the conclusion shall, therefore, be, that because some incidental powers are expressed (as those for erecting forts, dock-yards, etc.), no others can be admitted, it would not only be contrary to the common forms of construction, but would reduce the present Congress to the feebleness of the old one, which could exercise no powers not expressly *granted*.

Crawford, even in his latter days, could not have questioned the power of Congress to grant a charter of incorporation to the municipal body of Washington City. And yet no such power is expressly conferred by the Constitution. If, because the Convention rejected a proposition to insert the express power to charter any incorporations, the Bank is unconstitutional, the same rule must hold good as concerns any other description of incorporation. A corporation is the same, whether applied to a bank or to a municipality; and if the absence of express power constitutes a restriction, the rule must be universally applied to all subjects of legislation coming under that head. Such a mode of reasoning would capsize the legislation of every State in the Union, as well as of the National Government. It must be remembered that the express power to charter banks or incorporations is not given in any State Constitution, any more than it is given in the Federal Constitution.

But the validity of such a reason, as the basis of a radical change of opinion, may be impeached on other and stronger grounds. The mere rejection of a propo-



sition to insert an express power to grant charters of incorporation, is not, *à fortiori*, the evidence of opinion, on the part of the framers, hostile to the proper exercise of such power. In arranging a form of government adapted to the growing and varying wants of a country which bid fair, even then, to become a populous and an enterprising empire, it is scarcely allowable to suppose that a Convention would have assumed the responsibility of fixing as an immutable feature of the Constitution a special fiscal agent which, for better or for worse, was to be the perpetual depository of the Government funds. This would have been absurd. The Bank, in the process of time and amidst the vicissitudes of trade and commerce, might have been found less convenient as a disbursing agent than some other project. The means by which national exigencies are to be provided for, national inconveniences obviated, national prosperity advanced, are of such infinite variety, extent, and complicity, that there must of necessity be great latitude of discretion in the selection and application of those means. The wisest course under such circumstances was, as the Convention fortunately decided on, to engraft a *general* clause based on *necessity* and *propriety*, leaving it to the judgment of the legislators of each succeeding age to select the means of procedure. Besides, the debates and proceedings of the Convention on the subject of adopting the proposition in question, clearly show that its rejection was carried on numerous grounds, none of which refer to a decided opinion as to its incompatibility with the general powers belonging to the Constitution. Some friends of the Bank of North America, as it existed under the charter of the old Government, voted against the insertion of an express power to erect incorporations. The Constitution had been, after much contention and struggling, nearly

perfected. The elements of opposition had sprung up at every step in its progress to formation. Each express power had been jealously argued. It was only after mutual concessions that opposing factions had coalesced on its main features. It was known that fierce and powerful opposition awaited the question of its adoption before the people of the States. Every thing, therefore, which might tend to feed this opposition was strictly excluded; and it is probable that, after agreeing upon the few express grants of cardinal power, the clause giving to Congress the *general* power to pass all laws necessary and proper to carry into effect the express powers, united more differences of sentiment in its support, and at the same time was intended to convey more extended import, than any clause of like size ever united or conveyed before.

Now it is well known that, throughout his entire political career, Crawford had been distinguished by bold expansion of thought and liberality of opinions. He had been in advance of his friends and of his political party on all the great practical questions at issue. He had planned his action on these views, and never varied from their pursuit. The views we have here set forth are deducible from his own speeches and reports to Congress; and it is hardly to be presumed that his sagacious mind had, in its zenith, failed to take in and act upon their full scope. We cannot, therefore, consent that the foundations of his fame and greatness shall be thus undermined by arraying the prejudices of his latter years, as of superior authority to and against the splendid achievements of his meridian life. Leaving, then, these facts and reasonings to be appreciated as may best chance, we shall now proceed with the regular course of narrative.

The Bank excitement in the Senate was soon suc-

ceeded by the thrilling scenes which preceded the declaration of war against Great Britain. It was well known that, however widely Crawford might differ from the body of the Republican party on questions of domestic policy, on the subject of declaring war he was with them heart and hand, and even zealous for an immediate resort to direct hostilities. He had given his voice for war since the time when the Chesapeake had been so wantonly outraged by the Leopard; and now, that repeated injuries to American commerce at the hands of British subjects had followed that first insolent invasion of our national rights, he did not hesitate to declare that further postponement of hostilities would bring dishonor to the American name and nation. The timid and dallying policy of the Administration was not in accordance with his bold and energetic nature. Negotiations had been prolonged from year to year, while both England and France were daily preying on American commerce. Pirates and privateers swept the ocean from one end to the other; our sailors were violently seized and impressed; our merchandise was ruthlessly confiscated. No quarter was shown by either of the belligerents, and no exceptions were made in any instance, or under any circumstances. Embargoes were raised only to subject our vessels to pillage, and restrictions modified only to benefit enemies and robbers. The Berlin and Milan decrees were still rigorously enforced, to our dishonor and injury, and British orders in Council still remained in full effect, notwithstanding our protestations and threats.

Such was the complexion of our intercourse with Europe when the session of 1811-12 was opened. It had progressed until April of the latter year, when the Vice President, George Clinton, died. In consequence

of this melancholy and sudden event, the chair of the Senate became vacant. An election for President *pro tempore* was held, and Crawford was unanimously chosen. His elevation, however gratifying, withdrew from the active sphere of senatorial duties one of the most zealous and powerful advocates for the war. He however discharged the delicate functions of this high office with an ability, impartiality, and promptness that won golden opinions from all parties, and that materially expedited the now complicated business of the chamber. But his abstraction from the floor did not operate to weaken his deep interest in the war question. His vote will be found recorded in favor of every measure which looked to preparation for an event that was now deemed inevitable; and when, at length, towards the beginning of summer, test questions began to be taken almost every day, the name of Crawford stands conspicuously in the affirmative on each occasion. The final act, as is well known, having passed both Houses early in June, was approved and published on the 18th of the month; and Congress, after voting full supplies to meet the interesting exigency, soon afterwards adjourned.

It is not within the purposes of this article to pursue further allusion to the events of this memorable war. This is more properly the province of some future historian, whose labors shall be directed to that subject. We will barely say, that the *history* of that period remains to be written. Those who have essayed to do so, thus far, have been strangely ignorant or culpably negligent, if we are to judge their talent or their industry by the fruits of their attempts. There are points involved which claim the deepest interest, apart from the shock and thunder of battle-fields and of hostile navies, but which have received scarcely a passing



notice at the hands of the penny-picking hordes and demagogue adventurers who have heretofore thrust their puny efforts on the reading public.

Crawford's reputation, at this time, had become equal to that of any statesman in the Republic. He had been not more than five years a member of Congress, and only eight years in public life. A comparatively short period had but elapsed since he had been an humble and obscure pedagogue. Yet his fame was now spread through the whole land, and the public voice ranked him among the greatest of the nation. The eyes of the people turned to him with confidence, as the crisis approached which all dreaded. His energy of character, boldness, and known business qualification elicited general admiration, and his rapidly increasing popularity induced Mr. Madison to invite him to become a member of his Cabinet. He was offered the important post of Secretary of War, and earnestly solicited to accept. After mature reflection and consultation, he decided to remain in the Senate. This act we feel bound to condemn. In view of approaching hostilities with England, and consequent disruption of nearly all foreign intercourse, the Department of War was to become the principal and most interesting arm of the Government; especially when it is considered that the President himself was not peculiarly gifted with those qualities which constitute an energetic and successful war officer. Indeed, the event showed that Mr. Madison was wholly deficient in this respect, and, therefore, eminently in want of a counselor like Crawford. We hesitate not to declare the opinion, that if Crawford, instead of the then incumbent, had been in charge of the War Department, a British force would never have crossed the boundaries of the District, and Washington would not have been

pillaged and burned by the invaders. It is now generally conceded by military men that the battle of Bladensburg was lost to the Americans in consequence of bad management; and it is even a question whether a more energetic Government would not have been able to prevent the expedition and landing of Admiral Cockburn altogether. We do not mean to say that Mr. Madison was not an able and efficient executive officer, in the discharge of his general duties. As a civilian we regard him as standing pre-eminent among all his compeers. But we do mean to say that he was totally unacquainted with the practical rules of the military art, and most singularly deficient in natural endowments as concerns the qualities of a war officer. No one, we imagine, better knew of these deficiencies than Crawford. He was high in the confidence of the President, and was often advised with by members of the Cabinet. He was quite too sagacious not to have found out that they were all entirely unlearned in military affairs, and accomplished only in the civil routine of statesmanship. Mr. Monroe, it is true, had seen some active service, but it is no disparagement to say of him, that he had never discovered any extraordinary qualifications as an officer, beyond the possession of unquestioned personal courage; and this is not to be denied either to Mr. Madison or to his Cabinet. Besides, a long and successful diplomatic career had doubtless contributed to unfit the then Secretary of State for the prompt and energetic service of military life. The diplomatist and the commander are antipodes in character. The kind of study which makes the first is precisely that which is calculated to unmake the last. The one must study how to dally, to delay, to mystify language, to misinterpret expressions, to avoid direct issues, and, sometimes, to feign irresolution. It is true

that the ancient mode of warfare was formed somewhat on the same basis; but modern warriors, Frederick the Great, Bonaparte, Wellington, Jackson, have proven that the opposite of all these qualities are the true characteristics of an accomplished commander. It may happen, as to some extent in the case of Napoleon, that the diplomatist and the captain may be united in one person; but it is certain that they were not united in the person of Mr. Monroe, although he was one of the most useful and distinguished executive officers ever known to the country. But Crawford, while having never received a military education, was eminently prepared to manage the War Department at a time when energy, decision, and bold qualities of mind and of character were so imperatively needed. Rapidity of thought was a chief trait in his mental structure, and immediate action followed. He possessed great enterprise, great prescience, and great resources of mind, while passion and enthusiasm were strangely blended with calmness and deliberation. None, in fact, who have studied and compared human character, will fail to perceive that his prominent traits of character were the very same as those which distinguished the elder William Pitt. The Department of War, then, was the office for which he was, at that juncture of affairs, particularly fitted; and having been so early, unwavering, and conspicuous an advocate for the declaration of war against Great Britain, there was resting on him, we think, a very heavy obligation to accept and enter upon the duties of the office which was tendered to him by the President. He chose to decide differently, and justice to his known disinterestedness of character requires us to believe that his refusal was induced by some strong personal reasons which have not been declared.

In the spring of 1813 Crawford was appointed Minister to the Court of France, in the room of Joel Barlow, who had died just a few months previously, whilst in the active discharge of the important duties of his mission. Our relations with his Imperial Majesty, at this time, were most delicately and singularly involved, and their conduct required the aid of just such a person as Crawford. There was no subtle diplomacy to be resorted to in their management, but a bold demand to be made for redress of past injuries, and an explanation asked of an act which betokened bad faith. The spoliation on American commerce and the sequestration of American property, which followed on the Berlin and Milan decrees, had begun to be most severely felt by all classes of our citizens, and a spirit of resentment was becoming rife throughout the whole land. In proportion to the delay of Congress to pass measures which looked to direct hostility with England, did Bonaparte increase the rigorous execution of these harsh decrees. He had resolved, from the first, that our Government should choose between France and England. Knowing that the British Ministry were pursuing a policy towards the United States which must inevitably lead to a war, he directed his whole efforts to precipitate that event. To this end, while sternly enforcing the Berlin and Milan decrees against us, he never failed to intimate, at the same time, that those decrees would be relaxed the moment that our Government took the initiative steps to hostilities with England. Indeed, he assured the American Minister that his course was the consequence alone of British insolence, which last being manifested as well to the United States as to France, he was resolved to make no exception in our favor until our Government prepared to resent the orders in Council; further declaring that the decrees were to be sus-



pended so soon as we should procure a revocation of the British orders. These pretended friendly advances, made at a time when, in addition to the evils we were suffering in consequence of suspended commerce, our seamen were being daily impressed into the British service, were received with marked favor by the American Government and nation, notwithstanding that every one saw clearly the selfish motive which actuated the French Emperor. No one doubted but that the advances were made with a view to throw the whole blame where, in fact, it properly belonged, on the common enemy of both countries; and thus, by producing angry and fruitless correspondences, to compel us into a state of hostility with England. But the American Cabinet were wise enough to see that these overtures from Bonaparte, no matter how intended, might be effectually used to bring our relations to a determination with either belligerent. Accordingly, on the first of March, 1809, a non-intercourse with France and England was substituted by Congress in lieu of the embargo, the President being authorized, at the same time, that in case either power should repeal or modify their exceptionable edicts, intercourse with the same should be renewed. Mr. Erskine was then the Minister of Great Britain at Washington. He was a warm advocate of peace between the two countries, and, availing himself of this law, gave assurances to the Secretary of State that the orders in Council should be withdrawn after the 10th of June following. Without waiting to inquire how far this declaration might comport with the ambassador's instructions, Mr. Madison very precipitately, as we think, issued his proclamation, opening the ports of the United States to British vessels, and renewing intercourse with England. It would have been more prudent, as the event showed, to await a

confirmation of this promise from the British Government, and at the same time to cause that of France to be notified of the arrangement, so that her protestations of friendship might have been fairly tried. But the President, seemingly in too hot haste to conciliate Great Britain, issued his proclamation; and, as a natural consequence, this act, so well calculated to wound the pride and excite the jealousy of France, inasmuch as a discrimination was thus rashly made to her prejudice without allowing to her ordinary grace time, threw Napoleon into an uncontrollable ecstasy of passion. The Berlin and Milan decrees were executed against American vessels with tenfold rigor, and our Minister resident was loaded with taunts and reproaches.

In the meanwhile, the declaration and promises of Mr. Erskine were disavowed by the British Government, and it was announced that, in making such, he had exceeded his instructions. The whole arrangement, therefore, fell to the ground; and the President, repenting too late his precipitancy, renewed the Non-intercourse Act against England, early in the ensuing August. Mr. Erskine, chagrined and mortified, demanded to be recalled, and the last prospect of a satisfactory adjustment faded away.

In this extraordinary state of affairs, the Government of the United States was indeed seriously embarrassed as to its future course with the two implacable belligerents. In his anxiety to preserve amicable relations with both, and to avoid war, it is not to be denied that Mr. Madison, constitutionally timid as a politician, and perplexed by the unpatriotic course of the Eastern States, committed many blunders, and was guilty of extreme precipitancy in more than one instance. But the purity of his motives cannot be questioned, notwithstanding that his course may be liable to severe

censure. To relieve this embarrassment, however, and to guard against future precipitancy, it was now determined to change position with respect to both belligerents. It was determined that the merchant vessels of both nations should be admitted into American ports, while their armed ships were excluded. The President, too, was again authorized to propose that in case either power revoked its offensive edicts within a certain time, the same was to be declared by proclamation; and that then, if the other nation did not also relax its policy, the non-intercourse law was to revive against the latter, and all restrictions raised as to the former. This act being communicated to both Governments, drew from that of France a letter from the Minister of Foreign Affairs to the American Ambassador, declaring that the Berlin and Milan decrees were revoked, and that after the first of November, 1810, they would cease to have any effect; "*it being understood*," the Minister said, "that, in consequence of this declaration, the English shall revoke their orders in Council, or that the United States shall cause their rights to be respected." The guarded language of this letter, as well as the fact of its not being signed by the Emperor or accompanied by any authoritative repeal, should have placed, we think, a degree of prudent restraint on the course of our Government. There was, clearly, a most serious condition attached; and the question arose, whether it was *precedent* or *subsequent*, when construed by the technical rules of law. The American Executive adopted, promptly, the latter interpretation; and, despite the signal consequences which had followed his hasty action in a previous case, immediately issued his proclamation as prescribed by the act, without even the formality of a communication with England. The proclamation, as before, gave rise

to many and serious disputes. That Napoleon intended the concluding sentence just quoted as a *precedent* condition, and that his decrees should remain in force until the British orders in Council were definitively revoked, the issue evidently unfolds. It was confidently predicted that England would not regard such an obscure declaration as a revocation of the decrees; that she would not, without a more formal promulgation of the Emperor's designs, relax her own policy; and she did so decide and act. As a natural consequence, therefore, American vessels were still seized under the Berlin and Milan decrees, as had been predicted, and the declaration of the French Minister produced no *visible* fruits. Bonaparte's crafty policy began to be clearly developed. Every one now understood that the Berlin and Milan decrees, since England had declined to revoke her orders in Council, would only be relaxed in our favor when the United States should declare war, as had been expressly *provided* in the French Minister's letter, against Great Britain. In this dilemma, an appeal was again made by the American Cabinet to England, to the effect that the declaration of the French Minister should induce a relaxation of policy. This appeal called forth the celebrated annunciation from the Prince Regent, that England would only revoke the orders in Council when the French Government, by some *authentic act*, publicly promulgated, should make known the unconditional repeal of the Berlin and Milan decrees. This answer was intended to be final, and it was so regarded; and at this point opens a chapter of history as interesting as singular, the elucidation of which is still locked up within the unexplored recesses of diplomatic craft.

The American Cabinet had now fairly taken its position. France had responded to its demand, and, if



equivocally, at least in such way as had been recognized and acted upon. England had peremptorily refused, and to such extent had this refusal exasperated public sentiment, that no alternative was left but a resort to the last appeal of nations. It is clear that Bonaparte had been all along laboring to produce this result. His policy was developing at every period of the negotiations; and a fact which now soon came to light, left no doubt as to his designs in so long delaying a public and authentic revocation of his decrees. Here is the starting point of the secret history. The declaration of the Prince Regent, while it precipitated the declaration of our war with England, had been seized upon by Mr. Barlow, our Minister to France, as a ground of appeal to the French Emperor to leave England without excuse for her conduct, by promulging an authentic and definitive repeal of the Berlin and Milan decrees. It was urged that Napoleon should explicitly declare that these decrees had not been applied in our case since the previous, though disputed, declaration to that effect. Not having yet heard what effect the Prince Regent's declaration had produced on the American Congress and Government, Napoleon was reluctant, at first, to make any response to this appeal. If he should respond, and, in that event, England should revoke her orders in Council, he feared evidently lest such revocation on his part might calm excitement in the United States, and thus break up the prospect of war, which had now opened so auspiciously for his purposes. But in the meanwhile there came to France such rumors of hostile preparations in this country, of embargoes laid, and of moneys to be raised, of armies to be recruited, and of fleets to be equipped, that all doubt as to the result was fully removed, and war placed beyond the reach of remedy. Then he answered the call. A de-

cree, bearing the imperial signature, was produced and handed to Mr. Barlow, which purported to have been dated and duly issued on the 28th of April, 1811, declaring unequivocally that no application of the Berlin and Milan decrees had been made, as respected American vessels, since November of the year previous, and fairly confirming the disputed declaration of the last date. This document, thus long and singularly concealed, was no sooner published, than England at once revoked the orders in Council. But the revocation came too late. War had been declared by the American Congress just *five days before*, though, of course, the news had not reached Europe.

The correspondence which produced the delivery of this mysterious document occurred in May, 1812. It reached Washington early in July of the same year, and threw surprise and consternation on the whole Cabinet. Congress had risen. War with England had been declared, and was then going on. It was now evident, from the date of Mr. Barlow's despatches, that the decree thus tardily published must have produced a change of British policy, and in August news came that the orders in Council, in accordance with the Prince Regent's declaration of nine twelve months previously, had actually been repealed before the passage of the war act through Congress. Suffice it to say that the American Cabinet was doubly confused by these startling developments, well knowing that Congress, at the approaching session, would institute rigorous inquiry into the whole matter. We do not charge that they deprecated or dreaded such inquiry. It is to be supposed that they did not. We certainly do not believe that they could have been seriously inculpated; for, admitting, as we must candidly insist, that the Cabinet had been guilty of some indiscretions, that

they had been somewhat outwitted, both by England and France, but especially by the last, and that they had fallen into some errors, we yet believe that war would have been declared against England in the face of this revocation, unless she had renounced the right of search and of impressment.

Such was the singular state of our relations with France, when Crawford was appointed Minister to that Court. Mr. Barlow had been instructed to demand an explanation as to the causes which had induced the long concealment of this definitive decree, to insist upon ample indemnity for spoliations on our commerce under the imperial decrees, and to bring about a favorable commercial treaty. But in the mean time Napoleon left Paris for the Russian campaign. He caused Mr. Barlow to be invited to meet him, late in the winter following, at Wilna. On this journey Mr. Barlow was stricken with the malady which produced his death, in December, and ere yet he had been able to perfect the negotiation. Crawford reached Paris in July of 1813, and was charged with the same instructions. But the Emperor was not then in his capital. He had been, since May, with the armies in and around Dresden, and was wholly absorbed with the events and scenes of the memorable campaign of that year. His mind was engaged with other and sterner matters than indemnities and spoliations; the coming event of his downfall had already cast its shadow in his path, and disasters and reverses, hitherto unknown to his arms, were already combining to hurry the fatal event.

Nevertheless, on the 27th of July, fourteen days after his arrival, Crawford took occasion to inform the Duke of Bassano, the Minister of Foreign Affairs, in an official note, of his presence as the Envoy of the United States near his Majesty's government. The Duke re-

plied, welcoming him to France, and recognizing his official presence; but requested that he should await the Emperor's return to Paris, and present his credentials at that time. It is known to all readers that this return was long delayed. During the entire summer and part of the fall, the campaign was vigorously prosecuted on both sides, and victory would declare for Napoleon to-day, only to be wrested from him to-morrow by the allies. At length the disastrous battle of Leipsic was fought, and Napoleon retreated from Germany. The brilliant victory of Hanau restored, for a moment, the prestige of his military fame; but the days of Marengo and of Austerlitz had passed, and the light of his ancient glory was fast fading before the gloom of approaching ruin. He entered Paris on the ninth of November, dejected and mistrustful, in no mood for negotiating concerning a matter comparatively so prospective and secondary as was his difference with the American Government. Yet, in token of the sincere respect which he had always professed to entertain for our Government and nation, he received the new Minister with great civility and favor. Crawford presented himself at the very first public reception after the Emperor's return. Napoleon advanced to meet him, saluted him, it is said, with a most profound bow, spoke in high terms of the character of the United States, and even complimented him, with true French urbanity, on his fine personal appearance. He remarked to the courtiers who stood around, that the American Minister's looks corresponded most strikingly with his great reputation as a statesman, and realized all previous conceptions of him.

Notwithstanding this civil deportment, however, the negotiation made no progress, and Crawford's overtures were constantly postponed. The sinking fortunes



of the Empire left Napoleon and his Minister no time to pursue the business for which Crawford had crossed the Atlantic. Indeed, the patience of the American Minister, never very great, was beginning fast to tire. In January, 1814, after having been in Paris more than six months, he writes to Mr. Monroe that he had only been able to effect one interview with the Duke of Bassano. This resulted in nothing. The communications of Crawford, touching the demands of his Government, were drawn with marked ability and skill; but the rush of startling events in Europe prevented the Duke from making any reply. At length, on the 25th, the Emperor again left Paris for the armies, without having given any reason for the long concealment of the counter decree of 28th of April, 1811, or making any arrangement to satisfy the demands of the American Government. Crawford never saw him afterwards, and there the business rested during the whole winter.

It is known that in less than two months from the time that he left Paris, Napoleon was beaten at all points. The allies, pressing their advantages, advanced rapidly on Paris, and forced the garrison to capitulate. King Joseph and the Empress fled at their approach, and, on the 31st of March, the allied sovereigns, followed by their victorious bands, made their entrance into the city. The eighteenth Louis was restored to the inheritance of his ancestors, and Crawford received instructions to press the demand for indemnity on the new Government. But a serious obstacle was now presented. The King assumed the ground that his Government was not liable for the acts of the usurper. Crawford argued the point with great force, and clearly established the contrary position. The negotiations were prolonged throughout the year, and, had the Government lasted, it is more than probable, we in-

cine to think, that our demands might have been satisfied.

But an event was suddenly interposed which again distracted the entire business. Negotiations could scarcely be fixed on a treaty basis, before revolution unsettled the foundations. Napoleon escaped from Elba, landed safely in France, and, on the 20th of March, rode triumphantly into Paris. All Europe immediately declared war against him, and every other business gave way before the pressing necessity for preparation to maintain his throne.

The memorable Hundred Days followed. The few days that were allowed to Napoleon to remain in the capital were sedulously devoted to a resuscitation of the embarrassed finances, to the raising of funds and provisions, to the levying of troops, and to the organization of armies. The forces of Austria and Prussia were already on the confines of France. The martial hordes of Russia were swarming on the banks of the Vistula. The British army had crossed over into Belgium, under command of the Duke of Wellington, and was forming rapidly for a march to Paris. The bristling bayonets of twenty banded nations were pointed against his single throne, and France, threatened on all sides, was looking to him as her only hope. Negotiations and treaties with transatlantic nations were not to be thought of at such a time, and if thought of, there was no leisure to answer their demands. In fact, Napoleon left Paris for the armies so soon as his arrangements for prosecuting the campaign were completed, and his ministers were not clothed with authority to make any negotiation during his absence.

The scenes of the eventful campaign which ensued are well known to all readers of history. Napoleon lost the battle of Waterloo on the 18th of June, and in

a few weeks afterwards Paris once again opened her gates to the allied armies. The fierce Prussian and the haughty Briton were bivouacked on her promenades, and each day witnessed some appalling act of military power, or some scene of national degradation. Treasured trophies of victory, and cherished monuments of glory and of architectural taste, were alike swept away and destroyed by the ruthless conquerors. No houses were spared save those occupied by the foreign ambassadors, and among these, none was so respected as that of Crawford. The well-known banner of stars and stripes floated proudly above his door, and its broad folds were a sure protection to all who came within their shadow.

During the occupancy of Paris by the allied armies, a public procession was ordered to celebrate the King's return. All the resident ambassadors from foreign governments were invited to participate, and as the occasion was to be made one of great attraction and splendor, all were desired to appear in their court costumes. Crawford was, of course, especially invited, as both conquerors and conquered were agreed in a common admiration of the American Government, and in the desire to court amicable relations through its representative in France. The day arrived, and was distinguished, among other things, by a mirthful incident in connection with Crawford, peculiarly characteristic of the man and of his habits. A forgetfulness of small matters, particularly in the way of etiquette, was not the least distinguishable trait of Crawford's character. He could never bring his mind to the little task of embracing all the minutiae of ceremony. Accordingly, at the hour designated, Crawford presented himself on the promenade, but had utterly forgotten to don his court vestments. He appeared in the ordinary dress of a

plain American citizen, and would have doubtless failed, in consequence of this fact, to receive the attention due to his rank, but for an act of artless self-possession, which eminently demonstrated his republican sense and simplicity, and which astonished the numerous gaudily-apparelled spectators. It so happened that Crawford was intimately and favorably known to the Duke of Wellington, who was of course the lion of the day; and without pausing to calculate the amount of infringement on the stated rules of etiquette, he adroitly attached himself to the suite of His Grace, by whom he was received with genuine, unaffected English hospitality. This frank recognition on the part of the old Iron Duke, who had as little taste for mere peacock display as his blundering friend, produced a burst of applause from the assembled thousands around; and that which was, in fact, a great mistake on Crawford's part, was set down to his credit as a very harmless but apt exhibition of republican simplicity, designed to rebuke the glare and glitter of royalty.

In the August ensuing Crawford threw up his mission and returned home. He had failed to accomplish the object of his Government, but the failure did not proceed from incapacity or negligence on his part, or from any causes within his control. Revolution had followed revolution too rapidly to admit of tardy diplomatic business. France was in a continual turmoil during the whole period of his residence at her capital. Monarchs and ministers and governments had been changed repeatedly within periods so short as to resemble more the flitting pageantry of the stage than the scenes of real life and form. He had been interrupted and impeded at every step of the negotiations; and what progress had been made to-day was lost among the strifes and struggles of to-morrow's revolu-



lution. Projèts of adjustment and of explanation would be scarcely formed under the imperial dynasty, before the storm would rise as the ancient régime swept onward with its foreign allies. The basis of a treaty recognized under one government would be peremptorily disavowed by that which succeeded. Crawford's temperament was not suited to a mild endurance of such political tergiversations and fickleness on the part of the French nation, while his republican notions of popular rights were daily outraged as he beheld France groaning under the sway of a monarchy, not its choice, but imposed on it by allied despots. It is probable, therefore, that disgust rather than discouragement induced him to demand his recall.

Thus was lost the last chance of ever obtaining a satisfactory solution of the secret history as concerned the famous counter decree of April, 1811. The final overthrow and banishment of Napoleon, the ostracism of his ministry, and the untimely death of Joel Barlow, closed all penetrable avenues to its elucidation; and it will probably remain ever a mystery to the world, unless chance or some posthumous revelations, yet to be made public, shall unfold and explain its details. We may as well remark also, in closing this period of Crawford's political life, that our claim for spoliations of commerce under the decrees of Berlin and Milan was prosecuted, amidst vexatious delays and despondences, under many succeeding administrations both in this country and in France, until, at last, the impetuous, resolute course of President Jackson extorted justice and satisfaction at the point of the bayonet. The first instalment was paid by France in 1836, under the government of Louis Philippe.

Crawford brought home with him, as we are informed, not a very elevated opinion of French charac-

ter. He regarded the French as an impulsive and restless people, governed less by judgment or reflection than by enthusiasm. He esteemed highly the noble qualities and genuine patriotism of Lafayette and his compeers, and viewed with just severity the absence of like appreciative tastes on the part of their giddy-minded countrymen. The ascendancy and great popularity of Bonaparte was founded, as he argued, not so much in real attachment and healthful admiration, as in morbidly-excited passion, and in pride unduly and fatally influenced by a perverted longing for national glory and aggrandizement. He denied to the French people the possession of the sound discriminating *sense* and sterling qualities of character which so eminently belong to the English and the Americans in their rational capacity. This may be regarded, by many, as a harsh and overwrought judgment. We incline to think, however, that those who judge France by the sure test of its history will yield a concurrence of sentiment. The prestige of great military fame, and of martial deeds, has ever allured and controlled the admiration and affections of the French people, from the days of Clovis and Charlemagne to the present time. It is unquestionable, we think, that the charge at Lodi, the battle of the Pyramids, the passage of the Alps, the victory of Marengo and its splendid results, did more to endear Napoleon to the ardent Frenchmen, than all the grand achievements of his civil administration.

The works of Cherbourg, the magnificent quays and bridges of the Seine, the spacious docks of Antwerp and of Flushing, the maritime works of Venice, the passes of Simplon, of Mont Cenis, and of Mont Genève, which open up the Alps in four directions, exceed in boldness, grandeur, and art any thing ever attempted

by the Romans; yet it is not going too far to say that these noble monuments of genius, as compared with the glories of Austerlitz or of Jena, form not a single cornice of the broad pedestal of affection from which towers his adored image. It is not to be supposed that a man of Crawford's austere constitution and sound judgment could sympathize with a people thus supercilious and vain. He had no tolerance for that species of patriotism which springs from man-worship, and which burns only at the shrine of military renown. It was enough to fix and settle his opinion, when he had detected the extreme susceptibility of the French people on this point. Their chivalry, their bravery, their learning, their numerous unequalled accomplishments, were all powerless, in his view, to palliate such fatal perversion of taste and of reason. On the whole, we incline to acquiesce in the correctness and justness of his opinions; though, at the same time, we have always cherished, and cherish still, a very high admiration of French chivalry and generosity of character, and must award to them the palm of excellence in all those beautiful accomplishments which so adorn the domestic circle, and constitute the charm of society.

Immediately on his return from France, Crawford was appointed, by President Madison, Secretary of the War Department. His distinguished services abroad had justly increased his popularity with the people of his own country, and his reputation as a statesman rose to its zenith. He had been, for many years anterior to his departure for France, pre-eminently the leading member of the Senate, and his opinions and influence, as we have already seen, had not only given tone to the politics of a large portion of the country, but had actually opened the way to the formation of a new party organization, that seemed likely to absorb all the

better elements of both the Federal and Democratic parties, as also to reconstruct, in all its original purity, the true Republican party of 1790-'92, of which Washington had been the leader. The government was then in its chrysalis state, and this last-named party had been formed on the basis laid down by the writers of the Federalist. The advocates of a monarchical, or strongest form of government, with Hamilton at their head, had so far surrendered their original opinions as to fall into its ranks, determined to test fairly and fully the present Constitution. The Virginia politicians, represented by Madison and John Marshall, and the conservatives of New York, represented by John Jay, formed its main pillar. The ultra and radical Democrats had not then been gathered into that fierce and impracticable phalanx which was marshalled and controlled, a few years afterwards, by Thomas Jefferson, though they had already organized upon the basis of opposition to the Constitution. This instrument was adjudged by them to be too centralizing and latitudinous in its main features, to harmonize with their crude notions of State sovereignty and independence. There were many who desired to be free from all national government, but a large majority decided that there must be some permanent confederation of the States. The discussion, in convention and in the public papers, on the powers to be given and the powers to be reserved, became zealous and rancorous, and divided the country into two great parties, which were designated as Federalists and Anti-Federalists. The first favored a strong government, and the last insisted upon a weak government, or rather, no government at all. The general sentiment of the country settled upon a compromise of these extreme opinions. Hamilton and Madison united in support of the present Constitution,



and the Democrats of the ultra school were left in a hopeless and deserved minority. This union between these two great men, with Washington as their common head, formed the foundation on which was erected the National Republican party. The high-toned governmental theories of the Federalists were so attenuated and modified as to harmonize with the conservatives of the Virginia school, although the latter yielded many of the ascetic and refined tenets of their sect.

It was under the guidance of this party that the Constitution was framed, and that the government went into operation. But its compactness was soon invaded. The dark and dangerous principles of the French revolution began to sow and scatter dissensions in the United States. Early in the year 1793, war was declared to exist between England and France, and intense sympathy was excited for the latter, who had so recently been our ally and faithful benefactress in the war against the former, which resulted in American independence. The proclamation of President Washington, under date of the 18th of April, asserting neutrality to be the settled policy of the United States, encountered violent opposition, and soon led to a partial disruption and reorganization of parties. Under the auspices of Thomas Jefferson, a strong French party was formed in this country, and Philadelphia, then the residence of the General Government, was scandalized by the organization of Jacobin clubs, or Democratic societies, which promulgated doctrines subversive of the true principles of the Federal Constitution, and destructive to healthy political sentiment. About the same time Hamilton published his numbers of *Pacificus*, defending the executive proclamation. Madison, now thoroughly detached from his late associations by the influence of Jefferson, answered him under the signa-

ture of Helvidius. This controversy between the chiefs of the constitutional organization of 1789-90, effectually broke up the composition of parties which originated at that date, and Madison continued steadfastly to co-operate with the Jeffersonians until the era of 1816. It is not for us now to inquire minutely into the history of the rival factions which soon sprang up after this disruption between the adherents of Jefferson and the elder Adams. The former, however, carried off with them the designation of republicanism ; and through the prestige of this name, Jeffersonian democracy acquired an influence with the nation, which has, for much the largest portion of the time, controlled its destiny from that day to the present. But the inherent, vital energies of the government, combined with every natural element of greatness, as also with the strong collateral influence exerted by a conservative national party, have saved the institutions of the country from a contamination of Jacobinism, which otherwise might have been fatal to their health and existence.

It was to this original republican party, formed at a time when patriotism could not be questioned, and when the true principles and spirit of the Constitution could not be mistaken, that Crawford evidently looked in his efforts to direct the current and composition of party organizations, during his senatorial career. On his return from France, he clearly perceived that such a party had again assumed shape, and, under the lead of master minds, was rapidly advancing to influence and popularity. The Hartford Convention had drawn down upon the factious remnant of the old Federal party a weight of infamy and obloquy from which it could not recover, and the lapse of a few years witnessed its final extinction. The Democrats had been

seriously confused and disjointed by the events of a war which, although begun and carried on under their immediate auspices, had evidently demonstrated the inefficiency and impracticability of their political theories and experiments. They had been forced to abandon their absurd and silly preference for the gun-boat system of Jefferson, and to build up and rely upon an efficient naval system, such as, years before, had been recommended and advocated by Hamilton and John Adams. They were now forced, at the close of that war, to withdraw their opposition to the establishment of a National Bank, and even to yield their constitutional opinions. Their leading champion of 1811, Henry Clay, who had then done more to defeat Crawford's Bank bill than any other senator, had openly changed his opinions, and was now in favor of the immediate charter of such an institution. Calhoun reported a bill to that effect early in the year 1816, and declared that a bank only was adapted to meet the financial exigency, although he had been raised in the strictest sect of Jeffersonism. Madison himself surrendered a long-continued opposition, signed the charter, and made Crawford, its principal advocate, his Secretary of the Treasury. In addition to this, they were driven to incorporate high protective features in the adjustment of the tariff of 1816, and that, too, not incidentally, but directly, and in so many words, if the speeches of Calhoun, and others of its advocates can be admitted as proof of the fact. The war had depressed all the industrial pursuits of the country, and these called too loudly for aid and protection at its close, to allow politicians to take shelter behind mere fastidious constitutional scruples, or selfish partisan policy. The emergency required enlarged and liberal legislation, such as was adapted to the growing importance of a

great nation, and would prove the beneficence and practicability of our system of government. The statesmen of that day met the crisis boldly, and the crude theories of the Jeffersonian school (ever more taught than practised, even by their founder) received a decided check and rebuke at the very moment that the ancient monster of Federalism was finally beaten down and smothered. It was just the time to indoctrinate public sentiment with the safer, more reliable, and more vigorous constitutional theories which had been already foreshadowed and indicated by Crawford's great speech, in 1811. It was just the time, too, to erect a purer and more efficient party. There was a sufficiency of conservative material to be found in both the Democratic and Federal ranks, to form such party, without incorporating the radicalism of the first, or absorbing the rancorous elements which distinguished the last. The fruit of these events was the construction of the National Whig party, which, having thus taken root, gradually emerged into activity and compactness; and for the twelve succeeding years, its healthful and invigorating influence imparted a tone and beneficence to the administrative policy of the country, which induced unparalleled prosperity, and which placed the United States in the class of the world's greatest nations. Nor was this influence entirely effaced even by the whirlwind of radical democracy, which tore through the land during the administration of Jackson; although the lustre of a military fame, too dazzlingly illustrated in the achievements of that victorious hero, not to win popularity among a grateful and chivalrous people, at any hazard to national interests, had well nigh totally obscured its milder radiance, while it did for ever eclipse and mar the political fortunes of the prominent Whig leaders.



As the Presidential term of Mr. Madison was now drawing to its close, the eye of the nation was directed to James Monroe as his successor. But the leading politicians of the party to which both Monroe and Crawford belonged, did not pretend to disguise their preference for the latter. Crawford peremptorily declined; but when the Congressional caucus assembled, and proceeded to ballot for a nominee, Monroe obtained only a few more votes than Crawford, notwithstanding this prompt declination. This result was exactly what it should have been. Crawford possessed and showed more discernment as well as more disinterestedness than his friends. The pertinacity of these was both impolitic and untasteful. Monroe was much the more experienced, both as a man and a statesman, had served with credit in the Revolutionary War, and was evidently the choice, as also the favorite of the nation. It may be true, as Mr. Dudley says in the sketch before us, that "it has often been confidently asserted by a great number of experienced politicians of that day, that if Crawford had permitted his name to have been put in nomination at that time, he might have been elected with perfect ease." We even think it is probable, from all we have heard, that Crawford might have been of such opinion himself. Still, we cannot agree that such hypothesis will quite bear out Mr. Dudley's inference, when he says, that "the event showed the influence of such a nomination, as it resulted in the election of Mr. Monroe." It is our opinion that the nomination would not have resulted in the election of Crawford; for the reason that we do not believe, under the circumstances, that the people would have been satisfied with such nomination. There is abundant reason to believe, in view of what we have stated, that electoral tickets would have been formed

for Monroe, despite the caucus nomination of Crawford. Besides his long experience and revolutionary claims, Monroe had lately won upon the affections of the people by superadding to the arduous duties of the State Department those of the Department of War, and through this had directed the latter operations of our arms to a brilliant and triumphant close. There would have been great difficulty in resisting such appeals as these, before a nation whose first impulse has always been to reward with civic honors those who have gained even a moiety of military fame. The superior qualifications of Crawford as a statesman would not have weighed in the balance with Monroe's military prestige, inconsiderable as it was, when compared with the dignity of the award which he was about to receive from the popular voice. Nor has the "event" always showed that a caucus nomination "resulted in the election" of the nominee. Eight years later than this, Crawford did receive the caucus nomination for President, and yet he barely obtained a sufficiency of electoral votes to find his way to the House of Representatives with Jackson and John Quincy Adams.

On the fourth day of March, 1817, James Monroe succeeded James Madison as President of the United States. He immediately tendered the office of Secretary of the Treasury to Crawford, and the tender was accepted. For many years afterward, we lose sight of him as an active politician. The labors of a ministerial office are wholly incompatible with party intrigues. Its incumbent is removed from the sphere of political attraction, and is measurably overshadowed. Consequently, we are wholly unable to trace our distinguished subject in connection with the numerous important and startling questions which arose during Monroe's administration, nor do we find such connection even so

much as hinted at in the sketch of Mr. Dudley. We do not think that it is unreasonable to find some fault with such omission. Nobody can doubt that Mr. Dudley is possessed of all such information; and, in view of the national character of his illustrious relative, we can see no good reason why he should have withheld such from the public. The public have a right to know all that can be known of the political connections of such men as Crawford. It is the duty of those who do know to make all such known, especially when, in response to a public call, they essay a biographical sketch. But there is a cogent and special reason why we regret that Mr. Dudley should not have been more explicit. It was during the last term of Monroe's presidency that the policy of the United States respecting foreign nations was so elaborately discussed. It was then that the doctrine of intervention was so seriously mooted among American statesmen, and measured by precedent and by the terms of the Federal Constitution. The struggle of the Greeks and of the South American republics elicited then deep interest in this country. Hungary and other European nations form now the basis of much political sentiment among the people of the United States, and there is an evident tendency to depart from the safe maxims of the early fathers of the republic, and to change the policy of the government. The opinions of such men as Crawford on such questions, and in times like the present, would doubtless exert efficient and salutary influence on a great portion of the public mind. We cannot doubt that these opinions were in accordance with the policy of Washington's proclamation in 1793, though there existed considerable differences in the Monroe Cabinet on this subject. We know that John Quincy Adams was quite latitudinous, and that Calhoun was very conserv-

ative. The President himself had no settled opinion, if we may judge either by his language, his policy, or the conflicting testimony of Adams and Calhoun. Each member of his Cabinet, it would seem, puts a different construction on his language, and holds a different interpretation of his motives and his policy; whilst Hayne, of South Carolina, did not hesitate, in after years, to charge the language of Monroe as being non-committal, and as having been employed merely in the nature of a *ruse de guerre*. But history, of whatever description, is silent as concerns the opinions of Crawford. The only clue to these is to be vaguely gathered from the acts and movements of his prominent friends in Congress. Taking, of these, Macon, Randolph, Van Buren, and Cobb of Georgia, and such test would easily unfold his sentiments and views.

Crawford served as Secretary of the Treasury during the entire period of Monroe's presidency. We can add nothing to what Mr. Dudley has so well said of this period of his career, and shall therefore dismiss this branch of the subject by quoting that gentleman's language :—

“ Much of the period during which Mr. Crawford acted as Secretary of the Treasury,” says Mr. Dudley, “ times were very doubtful; our domestic relations embarrassed, pecuniary difficulties pressing upon the people, home and foreign commerce fluctuating, commercial capital deranged, a public debt to be managed, and, above all, a miserably depreciated and ruined currency, had to be dealt with. The political essayists of those days agreed that it required ceaseless vigilance and profound ability to preserve the national estate from bankruptcy. But the public credit was never better at any period of the republic than during his administration of the affairs of the Treasury. The national debt was faithfully discharged, and the burdens of government upon the people were light and inconsiderable. At the time of the greatest difficulty the *estimated* and *actual* receipts of the Treasury only varied ten per cent., while the estimates of his distinguished predecessors had varied from seventeen to twenty-four per



cent. But the best evidence of his fidelity, zeal, and ability as a Cabinet officer in this department, was the length of time he served; the unbounded confidence reposed in him by Mr. Madison and Mr. Monroe, during the whole period of his service; the great interest manifested for his retention in that office by Mr. Gallatin, and Mr. J. Q. Adams' opinion of his merit, as evinced in his tendering him that office during his administration. Such men are rarely deceived in their estimate of character and qualifications."

An almost unnatural lull in political strife followed on the election of Monroe, and party dissensions and animosities ceased to disturb the course of legislation for many years. The President himself owned no distinctive party creed. A majority of his Cabinet were Republicans, though not allied with the Jeffersonian or Democratic school, further than by association. The Secretary of the Navy rather inclined to the Federal tenets, while Mr. Calhoun inclined to the Democratic, though his course of action in Congress had been widely variant from the ascetic teachings of that sect. In both Houses of Congress, the Republicans of the Crawford school of politics were in a decided majority, controlled the legislation of the country, and were under the lead of Henry Clay. They were not then, nor for many years afterward, known by the name or appellation of Whigs. The absence of all acrimonious party strife, consequent on the extinction of the Federal party, and the dismemberment of the original Democratic party, rendered it unnecessary to assume any distinctive appellation. Still they acted steadily together, in opposition alike to the extremes of Federalism and of Democracy, respectively represented on the floor of Congress by Rufus King and John Randolph; and the great American system progressed gradually to a happy consummation. There was a vitality and an energy then discernible in the legislation of Congress, which

diffused life and spirit into all departments of business. The nation looked to its government for proper encouragement and relief under the yet depressing influences of the war, and soon the whole country smiled with prosperity, and gave token of speedy release from the thralldom of cramped legislation. The spirit of the age brooked no fastidious obstruction. Even when the Executive halted and wavered, the majority of Congress came off victorious from every trial of strength between them. The black clouds arising from the Missouri question, in 1820, shed a passing gloom over the bright prospect; but patriotism triumphed over fanaticism, though not without an unwary sacrifice. The internal health of the country otherwise was never so great; and it is a fact worthy of notice, that this very period, when genuine Whig policy and principles were decidedly in the ascendant, is now looked back to by all parties as the age of good feeling and of golden times.

But the elements of strife were not long wanting. The great Presidential contest of 1824 afforded ample material with which to reconstruct a system of party warfare, although it is remarkable that no solitary political principle was involved in the contest. There was no attempt to keep up, but every effort to keep down, old party organizations. The Federal party, as we have already remarked, had been extinguished. The Democratic party had been dismembered. It had become rude and unfashionable to couple the name of Federalist with that of any gentleman. A Democrat was considered no better than a Jacobin. The words were never heard in political circles. It was almost impossible to draw a line of distinction between the aspiring politicians, or to set up any distinctive party standard by which to judge their opinions. Old mea-

asures and the divisions they had occasioned had passed away. New measures, under entirely new and variant circumstances, had been brought forward; yet nothing is more true, as we have already intimated, than that all the leading measures of Congress were of the genuine Whig stamp, that they involved the same principles of interpretation, and required the same course of argument in their defence, that Whigs have used for the past twenty years.

It will readily suggest itself to every mind, that a contest for the Presidency, under such circumstances, would be resolved wholly into a contest of mere personal preference among the people. The original candidates were John Quincy Adams, William H. Crawford, John C. Calhoun, and Henry Clay. There being no party differences between them, the strife became one of a peculiarly fierce and acrimonious character. It was soon exasperated and rendered more furious by the unexpected and unwelcome appearance of a fifth competitor, in the person of an illustrious military chieftain, whose hot temperament and passionate energies were not likely to soften the asperity of the contest. This was Andrew Jackson. His appearance on the field was at once productive of two most important events. It caused the prompt withdrawal of Calhoun, who became the candidate for Vice President on the Jackson ticket, and materially weakened the prospects of Henry Clay, by dividing the preferences of the West. Jackson had been a senator and representative in Congress, but had not taken even a respectable stand as a politician. It was quite common to ridicule his aspirations for the Presidency as being mere mockery. His nomination was generally considered too absurd to have been made in good faith. It would not at first be credited that a man notoriously deficient in educa-

tion, so uninformed as to the duties of a civilian as to have resigned several offices with the frank admission of incompetency, fonder of sport than of study, and whose training had been mainly in the camp or on the frontier, would be seriously urged for the first office in the Republic, on the single merit of one fortunate battle. Those great qualities of mind, or rather of will, which afterwards made him the most popular and powerful ruler that ever wore the executive mantle, which commanded the worship of his friends and the admiration of his opponents, and which identified the American name and nation with his own strong and heroic character, were not then known to the nation. His only claim to office was based upon the victory of New Orleans; and this alone made him formidable, and gave him a decided advantage over his three competitors.

With such fearful odds against them, the friends of the other candidates sought now to make favor with the people, by endeavoring to prove each that their candidate was, *par excellence*, the true Republican candidate. Crawford's partisans did not stop at this. They sought to obtain a more thorough advantage by procuring for him a regular caucus nomination, according to the ancient usages of the party. It is to be remarked, in this connection, that Crawford numbered in the ranks of his followers a greater proportion of the old Jeffersonian Democrats than either Adams or Clay, notwithstanding his known liberal opinions. These, considering themselves as the true standards of genuine Republican orthodoxy, insisted on assembling a caucus, although they were seriously opposed. They would not listen, when reminded that, Federalism having long ceased an organized opposition, such a course was not now necessary to secure the ascendancy of the Republican party. They grew intolerant when told that such



a resort to party machinery, in the absence of all the higher motives for combination, was the evidence of an endeavor only to subserve the purposes of faction, and to give an undue advantage where none was really deserved. They persisted in their resolve, and called together their caucus, on the 14th of February. The movement resulted in an entire failure. Out of two hundred and sixty-one members of Congress, only sixty-four attended the meeting in person, and there were two proxies. Crawford, of course, received the nomination. Sixty-four out of the sixty-six votes were cast for his name; but more than half of these were from Virginia, Georgia, and New York. No one will contend that such a nomination was entitled to any great authority or weight. It could scarcely make pretension to even full and fair party organization, much less to nationality. But its contrivers claimed for it all these, proclaimed it as the regular nomination, and invoked all true Republicans to respect and sustain it as such. The responses, however, were far from equalling their expectations; and we think that it will now be readily conceded that the movement rather injured than benefited Crawford's prospects for the Presidency. It is certain that many of his devoted and confidential friends inclined to such opinion, and among others, one whose letters now lie before us, written at the time of which they speak. This was Thomas W. Cobb, then one of the senators from Georgia. He was recognized as the most intimate and favored of Crawford's personal associates, and was bound to him by every tie of admiration and gratitude. He was attached to Crawford's party not only from principle, but from affection for its head. From the time of Crawford's nomination to the day when defeat and disease consigned him to premature retirement, Cobb

embarked in his cause with a zeal that never flagged or abated, and pressed his claims with almost frantic fervor. He mourned his overthrow with a grief more akin to personal devotion than political attachment; and imbibing, doubtless from this cause, a settled distaste for public life, soon afterwards threw up his senatorial commission, and retired with his friend to the quiet of private life.

It is clear, from the tenor of this gentleman's letters, that the Crawford caucus had not been followed by such auspicious demonstrations as hope had flattered his friends to expect. He now writes to one of his friends, Dr. Meriwether, that the caucus had not been productive of very favorable manifestations. In fact, this movement seems to have drawn down upon the Crawford party the concentrated and increased bitterness of both the Clay and Calhoun factions, while it gained them no additional strength among the partisans of Adams. Notwithstanding that Calhoun had openly declined for the Presidency, the newspapers favorable to his election still kept his name up in connection with that office, with the evident intention, as Cobb writes, to prevent his supporters from going over to Crawford ere the coalition with Jackson had been definitely effected. The caucus movement was received with approbation only in the States of Virginia and Georgia. North Carolina was not so decided, though Macon's influence in that State was considered sufficient to secure its vote. There had never been, even before the caucus, any doubts as to the preference of Georgia for Crawford. In Virginia he was equally popular. But in New York the result was very different, and the caucus met with decided opposition, notwithstanding the efforts and influence of Martin Van Buren. Van Buren was considered one of the most dexterous party

managers of that day and time. His success with the people of New York caused him to be regarded with deep interest by the various candidates for the Presidency. He was at first understood to own some preference for Adams, but his final decision was in favor of Crawford. There was much and varied conjecture in connection with this decision at the time, even among the political friends of the parties. Crawford had a comprehensive and sagacious eye, and could read men with as much accuracy as most other politicians. Being at the head of a dominant and powerful party in Georgia, he resolved upon a stroke of policy which, unseemly as it might and did appear even to his own friends, it was hoped might win to his support the great State of New York. This was none other than the nomination of Van Buren for the Vice Presidency by the State of Georgia. The project was no sooner made known than carried out, for Crawford's wish was law to his party in that State. The nomination was made reluctantly by the Crawford party, and was received with laughter and ridicule by his old enemies and opponents in Georgia, the Clarkites. The act appeared so ill-timed and so barefaced, in view of Van Buren's then obscure pretensions, that the term "Vice President Van" was jocosely bandied at every corner, and soon became a bye-word and slang expression. Long and cruelly did the Clarkites use it as such against the Crawford party. As an amusing illustration of this, when the next General Assembly of the State convened, the Clarkites, being in a decided minority, kept Van Buren as their standing candidate for all the lower order of appointments, with no other design than, by thus showing their contempt for the nomination, to annoy their sensitive opponents. There are many now living who may remember with a smile the description

of tickets that were exhibited and read out on such occasions. They had Van Buren caricatured on them in every possible form. Sometimes it was a half man joined to a half cat, then half fox and half monkey, or half snake and half mink—all bearing some resemblance to the object of ungenerous and indecent satire. He was designated on them as "Blue Whiskey Van," "Little Van," "Vice President Van," and many other nicknames, far more disgraceful to the perpetrators than disparaging to Van Buren. It proved to be the more disgraceful to them from the fact that, in a few years subsequently, the caricaturists and satirists turned to be the cringing partisans of him they had thus assaulted.

But the policy (whether intended as mere policy or a legitimate party manœuvre) did not succeed. The nomination of Georgia for the Vice Presidency met with no response. New York proved obdurate and refractory, and showed signs of wavering between Adams and Clay. The Crawford party grew desperate, and began bitterly to accuse and denounce Henry Clay. Macon, Cobb, and others laid to his charge all the injuries and reverses they had sustained in New York. But Van Buren did not despair of carrying the State so soon as his party friends. He was not one to give up without first using serious and zealous efforts to effect the object in view. "If we can get New York," said Cobb, "we shall then be sure of Connecticut, New Jersey, and Rhode Island. Without New York, *we are lost*." This opinion was known to Van Buren, and tending, of course, to confirm him in the like view, he went to work to secure the desired object with an earnestness and adroitness that had seldom failed of success before. There is no question but that personal attachment to Crawford, as well as the usual



allowance of political ambition, influenced Van Buren on this occasion. He had long admired Crawford, and now, in the hour of trial, when his enemies were about to triumph over his defeat, the noble exertions and eminent ability he brought to bear in the endeavor to save and secure the election of his favorite, must ever excite a kind remembrance in the bosoms of Crawford's family and friends. His efforts, at one time, had come very near the point of success. He had now found out that Crawford was clearly not the choice of the people of New York. Up to this period, the electors for President in New York had been *nominated* by the Legislature; and it was in the Legislature that Van Buren and his party, certain of defeat before the people, now determined to take refuge. The majority of the House of Representatives was against Crawford. His friends carried a majority to the Senate, and a fierce contest now ensued. The people were clamorous to take into their own hands the election of President. Consequently, a bill to that effect passed the lower House, with only a few dissenting voices. The Senate promptly rejected it, when sent up for its concurrence. Scenes of the most intense and rabid excitement followed, in the midst of which the Legislature adjourned. Popular resentment rose to a resistless height, and the Governor re-convoked the Legislature, with a view that the will of the people might be expressed and executed. But the same scene was re-enacted with the same result. The Senate again defeated the bill, and before any thing was done to meet the popular demand, another and final adjournment occurred. In the end, however, the people carried their point. The manifestations against Crawford had been too decided; and when the nominations were made by the Legislature, he sustained a signal and crushing overthrow.

This result abundantly foreshadowed the grand *finale*, so far as Crawford was concerned, especially when taken in connection with another untoward event which occurred during the canvass, and which put a final extinguisher on his chances for election. This event was a sudden and violent attack of paralysis, which deprived him for a time of his speech, his sight, and the use of some of his limbs, and which so shocked his whole nervous system as seriously to impair his memory and to obscure his intellect. This sad news effectually depressed the spirits of his friends, whilst it raised the hopes of his enemies. He was forced, in consequence of this affliction, to give up the business of his office, ceased to appear in public, or to receive any but select company, and was removed to a delightful cottage in the vicinity of Washington, in the vain but fond hope that the quiet of rural life and the purer breath of the country air might induce a speedy convalescence. But that hope was never fully gratified. After a struggle of many months, his speech, to a great extent, was restored; he regained the use of his limbs, and his vision was slightly improved. But the great intellect which had once controlled the opinions of a nation, and had made his name famous wherever that nation was known, had been blighted to a degree which human skill could not reach, and was never again to return with its original strength and lustre.

The extreme illness of Crawford was not generally known, and the canvass was carried on with unabated warmth. There being four candidates in the field, it was soon ascertained that there could be no election by the people. Adams and Jackson ran ahead, but for a considerable time it seemed to be uncertain whether, under the constitutional provision, Clay or Crawford would get to be the third candidate before the House

of Representatives. The State of Louisiana held the die, and the friends of Clay confidently expected that it would be thrown in his favor. But their calculations were not verified. Jackson and New Orleans were associated by a common glorious link, and the memory of his great victory turned fortune in his favor, at the very moment that the die was cast. He obtained a majority of her electoral vote, and Clay was thus thrown out of the contest. This left a small balance in favor of Crawford, who now went into the House of Representatives with an electoral vote nearly two-thirds less than that of Jackson, and not quite one-half that of Adams.

In December, 1824, Congress met. Washington was the scene of an intense excitement, growing out of the pending election for President, and scarcely a day passed that some new phase of the contest did not occur, or that a new political trump was not turned up. But the excitement was of a strictly legitimate character. No threats of violence by force of arms were resorted to, as in 1801, during a similar contest between Burr and Jefferson, when it was proclaimed, on the authority of Jefferson himself, that, in case the House should defeat his election, "*the Middle States would arm.*" Such seditious, Jacobinical sentiments, would not have been tolerated at the time in question. But there was not less of anxiety or of interest. The friends of all three candidates were alike energetic, and the movements of each party were watched and sifted with sleepless jealousy. Not a step could be taken, nor a proposal made by one, that was not immediately traced and rebutted by the others. Nor was the excitement confined to the members of Congress. Every citizen of Washington was an electioneerer for the one party or the other in some shape, and every visitor

within its walls was an active, working partisan. The hotels were only so many caucus or club-rooms, in which to plan and direct the various schemes of party procedure. The drawing-rooms were thronged alike with the votaries of fashion and the satellites of the different champions; nor were these limited to the sterner sex. The theatre was monopolized by one particular set of partisans in regular turn, as the most proper place for a public demonstration; but the artificial representations of the stage flagged and faded before the real exhibitions of the political drama. The legislative business of Congress received little or no attention. The members thought about nothing, talked about nothing, and wrote home about nothing but the Presidential election. Calculations were tortured by each party into results suited to their own prospects of success. A letter written by Cobb about the middle of January, to a friend in Georgia, affords a striking illustration of these illusory calculations; and being a legitimate link in the history of its time, we shall quote from it at some length, for the reader's satisfaction:—

“Doubtless, in common with others, you feel the greatest anxiety about the Presidential election. Recently, few changes have been manifested on that subject. Every thing has depended, and does depend, on the course which the Western States friendly to Mr. Clay may take. Should they join us, even to the number of two, the game is not desperate. It is impossible to decide with certainty whether they will do so. Their conduct has been extremely mysterious and doubtful. At one time, they led us to believe they would unite with us. At another, they are antipodal. Two days ago we received the news that the Kentucky Legislature had instructed their representatives to vote for Jackson. This information has brought out five of them who will do so; the others (seven) have not yet declared. Ohio is divided, but this morning I have the positive declaration of one of their most honest and intelligent members, that they have determined *not* to vote for Jackson. But it is not settled how they will go between Crawford and Adams. The objections made by those friendly



to us in both Kentucky and Ohio have their root in the state of Crawford's health; and as an honest man I am bound to admit that, although daily improving, it affords cause for objection. He is very fat, but his speech and vision are imperfect, and the paralysis of his hand continues. His speech improves slowly. His right eye is so improved that he sees well enough to play whist as well as an old man without spectacles. His hand also gets stronger. Yet defect in all these members is but too evident. My brother-in-law, Mr. Scott, has not positively promised to support him, but I think he has made up his mind to do so. So also do I think of Mr. Rankin. If, however, I am deceived in all these calculations (in which I think I am not), General Jackson will be elected on the first ballot. It is true, Maryland and Louisiana are now *said* to be divided, but I doubt not they will unite on Jackson, which, with the Western States, secures his success, inasmuch as he would have New Jersey, Pennsylvania, Maryland, South Carolina, Alabama, Mississippi, Louisiana, Tennessee, Kentucky, Indiana, Illinois, and Missouri. New York is yet settled for no one. We count sixteen, certain. We want two to make a majority, and these we shall get, as I am told by an intelligent member, Mr. Clarke, upon whose judgment I would sooner rely than on Van Buren's.

"Should one or two Western States withhold their vote from Jackson, Crawford's election is probable. The New England States are in excessive alarm. We have told them that Mr. Adams has no *right* to calculate on any support from us. This is in some measure true. Jackson's strength is such that Adams can gain nothing from him. The Yankees are determined *that a President shall be made*.

"New Jersey is willing to join us, if success becomes probable, and I am assured that five out of six of New England will do so too, when Adams's prospects are blasted. Should Crawford be elected, it will be by a combination of Maine, New Hampshire, Rhode Island, Massachusetts, Connecticut, New Jersey, Delaware, Virginia, North Carolina, Georgia, Mississippi, Missouri, Kentucky or Ohio. Delaware, Virginia, North Carolina, and Georgia have nailed their flag, and will sink with the ship. New England, if they wish to prevent the election of Jackson (and they *say* they do), must come to us, for we will not go to them. Colonel Benton is active in our cause, and is likely to do us good. Could we hit upon a few *great principles*, and unite their support with that of Crawford, we should succeed beyond doubt. But the fact is, we are as much divided as any other people. On the whole, I do not feel *alarmed*, though I am not *confident*. *Here*

they call me *croaker*. I say I will not express a confidence which I do not feel."

This letter speaks for itself, and unfolds much that is interesting in connection with the history of that memorable contest. Congress had now been more than six weeks in session, and yet there had been no developments which could point the result, even to the most sagacious. There was, indeed, much to cause Cobb's expression of "mysterious and doubtful," because, so nicely balanced was the apparent strength of Adams and Crawford, that the Clay party were unable to decide which would prove the most available to defeat, by a united movement, the election of Andrew Jackson. Thus much, it would seem, the majority had resolved to do from the beginning of the strife; but that majority was scattered among three distinct and unfriendly parties, and Clay held the power of fixing the desired union. On him, therefore, as is well known, all eyes were eagerly fastened. It was known that he viewed Jackson with unfeigned distrust; that he had held him amenable to the censure of Congress for lawless and unconstitutional conduct as an officer of the army; that he never hesitated to pronounce him to be unfit for civil office; and that he had already expressed a determination not to vote for him. Jackson never expected him to do so, and with his usual frankness had caused it to be proclaimed that such a vote by Clay "would be an act of duplicity." But the Legislature of Kentucky had instructed him to sustain Jackson, and the Jackson party, therefore, built up high hopes. But they little knew the man with whom they were dealing, if they ever supposed that such instructions would guide him any further than they might comport with his own judgment. He took, and has ever maintained

the ground that the Legislature had *no right to instruct* him, and that he felt no more respect for such instructions coming from the Legislature, than from any other assemblage of his fellow-citizens. Under these circumstances, therefore, he was forced to make a choice between Crawford and Adams. Still, the friends of Jackson did not cease to importune him with their efforts to obtain his support and influence for their favorite. It has even been shown that some of them advised and recommended an arrangement by which Clay should be tempted into his support by the allurements of high office, in case Jackson was made President. On the contrary, there has never been exhibited the least shadow of *proof* that the friends of Adams or Crawford made overtures of any character to Clay or to any of his friends. That both of these were anxious to secure his co-operation by all legitimate means, there can be no doubt. There is some reason to think that Clay's inclination, as well from their personal as political associations, rather impelled him to a preference for Crawford. But his stern temperament has never been warped by private preference contrary to his sense of public duty. His disposition is marked rather with the severe attributes of Roman character, than with the flexible impulses of the softer tempered Greek.

We have seen already that Crawford's health was extremely precarious, and that Western members had been urging this as a reason why they ought not to support him in preference to Adams. His illness, and the serious afflictions with which he had been visited, were well known to Clay. He spoke of them often, and always with unfeigned kindness and sympathy. Anxious and interested partisans had, it is true, sent abroad through the country very exaggerated accounts of his convalescence and improving state of health, but

in Washington the whole truth was known. But his immediate friends attempted no concealment, although they were sincere in the belief that he was rapidly growing better, and would soon be sufficiently restored to enter profitably into the discharge of any official duty to which he might be called. Under this illusory impression, in order as well to confute the malicious as to convince and persuade the doubtful, they resolved upon a course which, though corroborative of their sincerity, resulted fatally to their hopes and expectations. It had been now a long time since Crawford had mingled with the public. He had not been present at any of the numerous festive and social meetings for which this season is famous. To drawing-rooms and *soirées* he was an utter stranger. Only a select and intimate few were in the habit of visiting him, even at his home. A few days previous to the time of election, however, and to the surprise of nearly all Washington, his friends conveyed him to the Capitol, and kept him there in company for several hours. The old man looked much better than was generally expected, and deported himself with accustomed amenity and dignity. Many who saw him only from a distance, were most agreeably disappointed. Those with whom he shook hands and spoke, however, were observed to leave him with grave faces, and with all the signs and tokens of a melancholy interview. Among these last was Clay himself; and it was afterwards remarked by one of Crawford's friends, who was present, that his manner on that occasion told plainly enough that their hopes of his co-operation and support were at an end. "Defects were but too evident," as Cobb had written to his friends, and these sounded the funeral knell to his chances for the Presidency.

The contest was at length narrowed down to the



issue between Adams and Jackson, as nearly every one had, from the first, predicted it would be. Parties still continued immovable and uncertain. It was difficult to tell where either had lost, or where either had gained. Calhoun had been elected Vice President by a large majority, and refused to take part or mingle in the election either way. He was known, however, to be bitterly opposed to Crawford, and he afterwards declared that he had no preference as between Adams and Jackson, though his friends were already zealous for the latter. Clay maintained a steady and decorous reserve, which many, whose anxieties were zealously excited, characterized as mysterious and politic. The Crawford party no longer expected his co-operation, and the Adams party, relying on his well-known distrust of Jackson, and fully informed of Crawford's wretched health, confined their electioneering efforts to an intercourse marked only by cordiality and respect. There is not on record the least particle of evidence that they ever made any overtures to Clay's friends, or approached himself improperly. But the partisans of Jackson pursued a different policy altogether. It is in proof, on their own testimony, that prominent members of their party consulted frequently as to the propriety of coaxing Clay's friends to support Jackson by an intimation that, in the event of the latter's election, the "second office of the government" would be tendered to Clay. They even went so far, in guarding against the rumor that Jackson had declared his intention of continuing Adams in the State Department in case of election, to persuade Jackson to allow them to announce publicly and by his authority, that he had made no such declaration, that he had not decided as to any official appointments, and that, if elected President, he should be free to fill the offices of government as he

chose. While doing this much, however, Jackson took very especial pains to denounce all attempts at intrigue or improper collusions, and expressed himself with characteristic emphasis and honesty of purpose. We must candidly say that we believe Jackson himself was intent on running the race with Adams for the Presidency fairly and independently; although we must further say that his subsequent conduct showed a vindictiveness that is wholly irreconcilable with the general frankness and manliness of his disposition.

It has not transpired whether these declarations were ever *formally* communicated to the friends of Clay. But when the Jackson party found that Clay's resolution was still fixed not to sustain the pretensions of their favorite; that neither persuasion, nor flattering *intimations*, nor attempts to intimidate could move him from his purpose; that the star of the hated Adams was rising to ascendancy; that Clay and his friends would certainly make Adams the President, their rage seemed to know no bounds. Their execrations were uttered without regard to decency or propriety. Then it was that the first hoarse whispers of the "bargain and intrigue" were heard. They were hissed serpent-like through the political circles of Washington, though the venom was first discharged within the bosom of a quiet and obscure rural district in a neighboring State. No one doubted then, no one doubts now, the source from whence those charges sprang. It is one of the infirmities of our nature to judge others by ourselves. They who had so cautiously discussed the policy of illicit overtures within their own cabal, were naturally unable to account for their defeat upon *any* other than the ground that they had been outbidden by their wittier adversaries. But they directed their attack behind a masked battery, and attempted to resolve the contro-

versy into a personal issue between Clay and an old, simple-minded Pennsylvania Dutchman, by the name of Kremer. Kremer was a member of Congress, and from his character, habits, and standing, was evidently selected with special reference to all these, as the instrument to fire the train of this infernal machine. It seems that he was notorious for ignorance, insignificance, and vulgarity. In his address to the House, Clay alludes to him with a species of kind contempt, implying less of malevolence than scornful indifference; and afterwards he tells his constituents that to have held such a man *responsible* would have subjected him to universal ridicule. Nobody believed that Kremer composed either his original letter charging Clay with corruption and bribery, or the subsequent elaborate letter which was sent to the committee raised to act on those charges. The only thing he himself did write, which was a positive contradiction of his original charge, was seized and pocketed by one of his friends, who at the same time admonished him to do nothing without *advice*. That he was a mere tool of others, is seen by his original letter, in which he makes charges that he afterwards denied were charges of either bargain or bribery, and about which he evidently understood nothing at all. That he was a vainglorious blusterer, is proven by his vaunting reply to Clay's card denouncing the charges of his letter as false. That he was a driveller, if not a fool, is evidenced by his whole subsequent conduct. His cringing denials, his bolstered re-affirmations in the face of those denials, his verbal confessions to Clay's friends, his written statements given to Clay's enemies, his challenge before the committee, and his subsequent disgraceful retreat, at one time boasting, at another time begging, and always blindly obedient to his dictators, all these show clearly

that he was much better fitted to mould cheeses and to manufacture sourkrout than to conduct a plot or discuss state affairs. His only redeeming quality is to be found in Clay's own admission, that "he may have possessed native honesty."

Such was the man and the instrument which was thrust forward by the contrivers of this atrocious plot to confront and accuse Henry Clay. Having failed to flatter or to frighten him into the support of Jackson, they now assailed him through the more trying medium of his sensibilities. They endeavored to compel his support by leaving to him only a choice between compliance and the chances of political destruction. Their scheme failed as to the first, as every body knows, Clay was not shaken for an instant, but challenged investigation and defied conviction. At the same time he caused his friends to assert publicly and positively, that he had resolved not to sustain Jackson under any circumstances short of the most extreme and improbable necessity. But the conspiracy, especially in view of its subsequent identification with Jackson himself, who endorsed the accusations in the very zenith of his gigantic popularity, did indeed result in the destruction of Clay's chances for the Presidency. The strongest armament of proof that was ever before arrayed in a similar case, (and that, too, the proof of a negative,) has not been sufficient to clear him, before the masses, of these groundless charges. Every effort to make him President, from that day to this, has failed, solely in consequence of the unwelcome fact, that his friends have been met at every corner with these deathless charges of the bargain and intrigue of 1825. It was in vain that they were disproved; that all proof was invited and challenged; that it was shown no proof existed, or ever had existed. One letter of five lines



from the Hermitage, containing the mere declaration that the opinions of its revered and idolized master had "undergone no change" on the subject, was enough to confute a world of substantial evidence, and to stamp the baseless charge with the seal of divinity.

It is a significant and an instructive fact that the friends of Crawford, so far from aiding and abetting this unworthy attempt to destroy the character of a high-minded opponent, with the view to force him to a course which his judgment and inclination both condemned, accorded to Clay their generous and steadfast support in all attempts which were made to obtain the action of the House on the charges contained in the Kremer letter. Forsyth came zealously to his aid, and put forth in his cause the splendid parliamentary accomplishments and abilities which made him the ornament of Congress. Crawford himself turned his face against the conspiracy, with feelings that appeared to have partaken of both horror and disgust, and afterwards wrote to Clay a letter expressive of surprise that he should ever have been thought *capable* of believing such charges, and assuring him that he "should have voted just as *he* did, as between *Jackson* and *Adams*." At the same time, the Crawford party, warmly devoted to their chief, never pretended to disguise their hostility to Clay, in consequence of his preference for Adams over their own candidate. They were mostly of a school of politics which repudiated the latitudinous constitutional theories of the day, and considered Adams as being more obdurate and unreliable on such score than Crawford.

At length the day of election arrived. It was a cold, stormy day of February. The hall was beset and crowded at an early hour by every class of spectator. Every member was at his post, and the area was jammed

with privileged dignitaries, Senators, ex-members of Congress, members of State Legislatures, judges, and foreign ambassadors. Doubt was portrayed in every countenance; anxiety throbbed in every bosom. The galleries and lobbies, filled to an excess that almost stifled the eager multitude, presented a solid sea of uncovered heads; nor was there, perhaps, a solitary individual of that vast number, who had not made a choice and a preference between the three opposing candidates for President. It was the second time in the history of the Government, and within a quarter of a century, that such a high duty and responsibility had devolved on the House of Representatives. Most of those present were alive and in political life when Burr and Jefferson came as contestants before the same assembly, and some had been actors in that memorable scene. They now recalled with misgiving the frightful recollections of those seven days' balloting, which had been carried on amidst threats of rebellion and of armed interference. It was now to be tested whether the lapse of twenty-five years—years allied with glory, with greatness, and with unparalleled prosperity—had imparted the salutary influences necessary to dispel and subdue seditious resorts, and to substitute a spirit of allegiance for a spirit of anarchy. The foreign ministers present, observing the immense concourse, and the absence of soldiers and guards, seemed by their looks to have agreed that the occasion would fully confirm or disprove the republican theory of our political system. But there were no indications of a character that seemed likely to lead to any untoward development. At the usual hour the Speaker ascended to his chair, and the rap of his hammer brought the House to order. The roll was called, and the first business being to proceed with the election for President, in conformity with the terms of the Con-

stitution, tables were duly arranged, and tellers appointed. John Randolph presided at the table on the Speaker's left, and Daniel Webster at that on his right hand. The vote was to be taken by States, and amidst breathless stillness and the most painful suspense, the balloting commenced. When all the votes had been deposited and counted out, Webster rose, and with deep, sonorous tones, announced that at his table, Adams had received thirteen votes, Jackson seven, and Crawford four. Scarcely had he again taken his seat, when the wild, shrill voice of Randolph was heard ringing high above the buzz which followed Webster's announcement, as he proclaimed a similar result at his own table, but so varying Webster's phraseology as to say that the respective candidates had received the votes of *so many States*, instead of *so many votes*. There being at that time but twenty-four States of the Union, and a majority only required to elect, it appeared that Adams had obtained just the complement, and was, of course, duly and constitutionally elected President of the United States.

So soon as this result had been officially made known, there was heard some slight demonstration of applause in one of the galleries. McDuffie, a member from South Carolina, and a fierce partisan of the Jackson faction, sprang to his feet ere scarcely the first sounds were distinctly heard, and in a manner that indicated every symptom of anger and keen mortification, moved that the galleries be instantly cleared. This motion, and the corresponding order which was immediately given by the Speaker, seemed to produce great surprise among the foreigners present, in view of the immense and excited crowd which filled the hall. It seemed to them incredible that such an order at such a time could be carried out, and that, too, by an invisible

force. But their surprise was lulled, and their incredulity satisfied completely, when the Sergeant-at-arms proceeded quietly to motion the crowd to the doors, and when that crowd quietly obeyed; and all skepticism, if any had really been entertained, as to the binding influence of law in the absence of physical force, must instantly have vanished, when, in a few moments, those spacious seats, which were so recently teeming with conscious, anxious spectators, presented nothing to the eye but the magnificent colonnade and the long rows of empty benches. The House now soon adjourned, and every body quitted the Capitol, some filled with joy, and others struggling to conceal the defeat of expectations which had been more fed by hope than by reason. The important question had been irretrievably decided by a first vote, notwithstanding that many had anticipated that a struggle similar to that of 1801 was about to occur again.

On the evening of the same day, the drawing-rooms of the Presidential mansion were thrown open, and all Washington flocked to witness the scene. The gathering was brilliant beyond parallel or precedent; and amid the universal exhibition of good feeling and apparent vivacity, it was difficult for a stranger to distinguish the victors in the morning's contest from the vanquished. Adams was there, but the same frigid and callous deportment which always belonged to him was not exchanged for a manner of even seeming warmth. The bright and piercing eye alone gave token that deep feeling, and stormy passions, and acerbities of temper that partook of stern Jesuitism, dwelt within a bosom to all appearance so impervious and phlegmatic. The polished amenity and winning suavity of Jackson shone in marked contrast with the less engaging manner of his successful rival. There was not



the slightest symptom of even a lurking disappointment observable in his mild, dignified deportment. He shook hands with and congratulated Adams with a cordiality that seemed to defy scrutiny or question. No one could have ventured to predict that the frank and friendly courtesies of that evening would so soon be exchanged for a personal warfare, vindictive beyond what has ever occurred in the history of the republic. Yet no one will now question but that Jackson's behavior on that occasion was forced and insincere, and that his bosom was even then burning with wrath and the desire of vengeance. How these were afterwards wreaked against both Adams and Clay, history has told with a particularity of detail more truthful than welcome.

Crawford was not present; disposition and tastes would have withheld him from going, even had his state of health allowed. Besides, the result of the morning's contest had both astonished and disappointed him. He had never, perhaps, shared the sanguineness of his friends, but we are told by one who had long stood in a very confidential relation to him, that he was evidently not prepared for so early and abrupt a termination of the struggle before the House. His friends were prepared no better for a decision on the first ballot. They had hoped and wrought for a protracted contest, conscious that Crawford's only chance lay in some sudden turn of the game which might spring from the animosity of the stronger factions, and finally benefit him as a compromise candidate. Consequently, they were astounded when the vote was announced, though they betrayed no outward sign of chagrin or mortification. Some of the most intimate of their party repaired to Crawford's dwelling shortly after the adjournment, and among these were Macon, Lowry, and Cobb. The first two of these went immediately into the room

where Crawford was calmly reclining in his easy chair, while one of his family read to him from a newspaper. Macon saluted him, and made known the result with delicacy, though with ill-concealed feeling. The invalid statesman gave a look of profound surprise, and remained silent and pensive for many minutes, evidently schooling his mind to a becoming tolerance of the event which had for ever thwarted his political elevation. He then entered freely into conversation, and commented on the circumstances of the election as though he had never been known as a candidate. He even jested and rallied his friend Cobb, whose excess of feeling had forbidden *him* to see Crawford until the shock had passed—for *he* knew that the enfeebled veteran would be shocked. The conversation, on the part of these friends, was not untinged with bitterness and spite, vented against the prominent actors in both the adverse political factions, but more especially against those of the successful party, as being more immediately responsible for the crushing overthrow of their own beloved candidate. Crawford himself refrained from giving utterance to the least exceptionable sentiment, and behaved, during the remainder of his stay in Washington, with a mildness and an urbanity befitting one of his exalted station, who had just staked and lost his political fortune. As a proper conclusion to this portion of our task, we again draw some extracts from the correspondence of Thomas W. Cobb, under date of the thirteenth of February, just four days after the contest had been decided in the House.

“The Presidential election is over, and you will have heard the result. The clouds were black, and portentous of storms of no ordinary character. They broke in one horrid burst, and straight dispelled. Every thing here is silent. The victors have no cause to rejoice. There was not a single window lighted on the occasion. A

few free negroes shouted, 'Huzza for Mr. Adams!' But they were not joined even by the cringing populace of this place. The disappointed submit in sullen silence. The friends of Jackson grumbled at first like the rumbling of distant thunder, but the old man himself submitted without a change of countenance. Mr. Crawford's friends nor himself changed not their looks. They command universal respect. Adams has caused it to be announced that they shall have no cause to be dissatisfied. Two days ago, the Treasury Department was tendered to Crawford, and refused. On the same day, General Jackson paid him a friendly and civil visit, but nothing passed but an interchange of civilities. . . . Crawford will return home, and we must do the best we can with him. Should he and our friends wish that he should again go into the Senate, the way shall be open for him. I am sick and tired of every thing here, and wish for nothing so much as private life. My ambition is dead."

The events of this memorable campaign, and their consequences, afford an instructive page of history, and may be easily traced to an intimate connection with the party politics of the country from that day to the present. They served to form the tempest which succeeded to the calm of the preceding eight years. The absence of all principles from the contest, gave to it peculiar virulence and acrimony, and made defeat to be far more keenly felt. It caused a general prevalence of the belief, that the cessation of party strifes, based upon honest differences of opinion on the fundamental theories of the government, was rather injurious and hazardous than beneficial to the political safety of the republic. Hitherto, since the day of Washington, on whom even his opponents bestowed their suffrages, the conflicts of the political world had turned on substantial and great principles. From 1824 to 1848, competition has turned principally upon personal attachments and preferences on one side, and personal antipathy and hatred on the other. Andrew Jackson was not the man to restore harmony; and his advent, at such a

period and crisis, must ever be regarded as having materially balked and impeded the progress of the great national interests, although no one can consistently question his honesty or his patriotism; while all must admit that, in the eye of the world, his administration gave a character and tone to the American name which the lapse of many future generations will not alter or obliterate. His passions and his pride were alike unregulated, and the pernicious and corrupting principle of favoritism was a prominent element of his nature. He gave out to his friends to expect from him every thing in the way of patronage, and warned his opponents to expect nothing. He very seldom showed quarter in battle, never in the political world after his accession to the Presidency. These strong passions came to be mutual and reciprocal as between the leaders and followers of both parties; and they increased in intensity until, at last, the politics of the country was resolved into personal idolatry, a sort of man-worship on both sides. The highest public interests were subordinate considerations, and the support of a favorite chieftain became the primary object in the political struggles which followed. It will be allowed by all, we think, that this state of things was most inauspicious to a regular and constitutional operation of the government, and to a wise and stable policy in any branch of public interest or economy. True it is that the nation has prospered in every branch of industry, and our territorial limits have been vastly increased within the last twenty years, though we doubt whether this last will eventuate in good or evil to the public interests. For nearly the whole period intervening since Jackson's election, the Democratic party has held the reins of government, and partiality or ignorance of political history might beget an inference in favor of Democratic



policy, at first sight, in view of the increased national importance during its sway. Nothing, however, could be more fallacious. No government ever withstood such violent assaults on its integrity and strength as this government has withstood, during the period of Democratic ascendancy, against the wild spirit and radical tendencies of Democracy. Its domestic peace has been twice seriously threatened in consequence; and the government owes its rescue, on both occasions, mainly to the conservative influence of the Whig party. The commercial and mercantile interests of the country were visited with a blow that had well nigh disabled them for ever. Their resuscitation has been brought about by a resort to Whig measures. In fact, the Whigs have been routed and overthrown only because the Democrats have adopted and acted on their principles, while repudiating their name. The only Whig measure which has gone down entirely beneath Democratic furor, is that of a national bank. That is obsolete and dead, beyond recovery or resurrection. On the other hand, the two cardinal principles of the Whig party have been permanently impressed on the country by Democratic men: viz., those of protection to national industry, and a moderate system of internal improvements.

Early in the spring following, having declined the offer from Adams of the department he had so long presided over, Crawford set out from Washington on his return to Georgia. Political life had no longer any charms for his ambition, and his whole family seemed to rejoice that its idolized head was at last cut loose, even though abruptly and mortifyingly, from the restraints and the miseries of a public career. The state of Crawford's health was too feeble and precarious to withstand the rapidity and discomforts of a public con-

veyance, and it was decided that they should travel in his private carriage, and pursue their route by easy stages. They were accompanied by his friend, Mr. Cobb, whose devotion to the fallen statesman was never bounded by the measure of prosperity or success, but clung faithfully in the hour of misfortune and failure. His aspirations for political greatness seem to have expired with the close of the day which had witnessed Crawford's final overthrow for the presidency: it was but little more than two years afterwards that he threw up his commission as senator, the victim of severe domestic afflictions; which, added to his keen mortification at Crawford's defeat, fixed his determination to leave the theatre of public life.

The people of Georgia met Crawford at every county-town through which he passed on his return, with all the evidences of affection and respect. A few miles from Lexington, the court-house site of his own county, the citizens of Oglethorpe, headed by his ancient and unwavering friend, Judge John Moore, were gathered in considerable numbers to receive and escort to his home their illustrious but afflicted friend and fellow-countryman. After greeting the old statesman with a warmth that indicated the deepest sincerity of attachment and admiration, and with an enthusiasm none the less ardent that he had been overthrown by the nation, they formed in procession, and conducted him to the town amidst demonstrations rather of triumph than of mortification. He was here quartered in the hospitable mansion of Judge Moore, and the day was devoted to the reception of his earliest and fastest friends, many of them descendants of those who, twenty years before, had first called him into political life. They viewed the friend of their youth with mingled feelings of curiosity, veneration, and sorrow; many

years had passed since he had been in Georgia; a great many of those present knew him only by report. Their fathers had told them of his greatness, and had encouraged their youthful exertions by pointing his career to them as a proud example of industry and application. But he was not now the Crawford of his prime; disease had robbed him of that fine appearance and majestic carriage which had so impressed all who knew him in the zenith of his career. The commanding intellect which had won the reverence of a nation no longer shone with original splendor; he was, in fact, the mere shadow or wreck of what he had been. Some who went in with beaming eyes came away saddened and downcast, when they called to mind the vast difference between the Crawford of 1812 and the Crawford of 1825. All had heard of his sickness, and they expected to find him somewhat altered, but none were prepared for the awful change which met their vision. He could scarcely see; he spoke with great difficulty, and even with apparent pain; his walk was almost a hobble, and his whole frame evidenced, on the least motion, that its power and vigor had been seriously assaulted. Those now living who met Crawford on that occasion, mention the interview as being one of the most melancholy of their lives.

Three miles distant from Lexington was Woodlawn, Crawford's private residence; this was now his next and last stage; and the family entered within its grounds with feelings more akin to those of exiles returning from a painful banishment, than such as might be supposed to oppress those whose ambitious aims have just been disappointed. It is a retired, peculiarly rural spot, unadorned with costly or imposing edifices, and boasts of no artificial embellishments of taste; every thing around partakes of the simplicity and un-

ostentatious habits of its illustrious owner. It was fronted with a magnificent forest of oaks, through which the mansion was approached from the main road, along a romantic and winding avenue, just wide enough for vehicles to pass with convenience. In the rear opened an extensive clearing which formed the plantation, dotted here and there with peach and apple orchards, and affording an agreeable prospect of hill and meadow; around and through these meandered a clear little brook, which found its source in a delightful spring, only a few yards distant from the mansion, and which lent a charmingly pastoral appearance to the whole scene. The garden bloomed with an abundance of shrubbery, and of choice, tender fruit-trees, which were planted and tended by Crawford and his elder children alone, and smiled in the luxuriance and gayety of its numerous flower-beds. A rich carpet of blue grass covered the lawn in front; and here, of a calm summer evening, beneath the shade of a venerable oak, might be seen frequently gathered the entire family, the retired statesman himself being always in the midst, and ever the happiest and liveliest of the group. The memories of the past, laden alike with greatness and with gloom, seemed now to have faded to mere secondary and subordinate importance. The quiet joys of domestic life, unmixed with aught that could mar their loveliness, spread content through the familiar circle, and enlivened his secluded homestead with a warmth of affection and harmony too pure and too substantial to be compared with the fleeting pleasures and ephemeral honors of the political world.

The derangement of private business consequent on such long absences from home, and the very depressed state of Crawford's finances, drove him to embark, even in his enfeebled health, once again in professional life,



with the hope of restoring his pecuniary affairs. His sons were yet under age; and it was not until four years later that he gave the hand of his eldest daughter to Mr. Dudley, that daughter who had been so long his most trusted and confidential friend, whose delicate hand had drawn or arranged many of his most important official papers during the progress of his malady, and whose qualities of heart and of mind distinguished her as well in the fashionable as in the political and social circles which centred at her father's residence in Washington. While yet he was determining the mode of his return to professional life, it so happened, however, that the bench of the circuit in which he lived was made vacant by the death of its incumbent, the celebrated cynic and wit, James Dooley. Governor Troup immediately appointed Crawford to fill the vacancy, and this timely compliment secured for him at once an honorable official station, and an annual salary of three thousand dollars. He was elected to the same office, the year following, without opposition; but, as a singular and striking illustration of the instability of political fame, when the subject of his re-election came again before the legislature, three years afterwards, the pitiful majority of only three votes decided a contest between a man of less than ordinary ability, and of scarcely second-rate standing as a lawyer, and a man of pre-eminent talents and position, who had filled the enlightened world with his reputation.

We must now turn reluctantly from these pictures of domestic felicity and quiet professional duties, and, as a candid and impartial reviewer, give our serious and close attention to a subject far different in character, which brought in its train much that was unpleasant and mortifying in Crawford's latter life. The calm and content of Woodlawn were but of short existence: he

who had been so long associated with the strifes, the struggles, and the malignities of the political arena, could not be expected or suffered to close these connections by retiring suddenly from their perplexities. Others were still struggling whose interests had been involved with his own, and who would not surrender him to private life while a hope of their own promotion, either by his influence or his *instrumentality*, glimmered in the political horizon.

The conflict for the presidency betwixt the friends of the administration and the party of General Jackson had waxed violent and warm early in 1827. Calhoun was again the candidate for Vice President on the Jackson ticket, and was understood to be high in the esteem and confidence of that chieftain. Most, if not all, of the old Crawford party had taken sides in the same cause; and the combined forces of all these ancient and still unreconciled foes were turned into a common crusade against the coalition of Adams and Clay, which had wrested from their respective favorites the crown of success in the late election. The cry of the "bargain and intrigue" was the theme of every Jackson editor throughout the Union, and, as remarked by Hamilton of South Carolina, formed the sole "electioneering staple" of the Jackson party. The contest was one of desperation on the part of the coalition which held the reins of government; Clay mingled personally in the strife, and struggled with a gallantry that has never been equalled in the history of partisan warfare. He met his accusers with a proud defiance, and went even to the headquarters of one of the opposing factions to gather testimony in his favor. He obtained from Crawford the letter to which allusion has been already made, and published it in Washington. The effect was universal surprise and consternation in

the hostile camp. This letter showed that Crawford did not share the general belief of the party with which his friends were acting, and, in fact, directly acquitted Clay of any improper act or motive, so far as the opinion of its writer was concerned. Crawford evidently bore no personal ill-will to Clay; if he had, Clay never would have obtained from him aught else than sheer justice might have demanded from a fair and honorable enemy. He went farther, however, and expressly endorsed the choice of Clay as between Adams and Jackson; and yet, as if to afford but the melancholy evidence of decayed faculties by exhibiting the most remarkable of inconsistencies, a few months later we find Crawford busily corresponding to secure the election of Jackson over Adams in 1828. His letter to Clay, approving the choice of the latter in preferring Adams to Jackson in 1825, is dated in February of 1827. In the April following he authorized his opinions in favor of Jackson's pretensions, as he declares in a letter to one Alfred Balch. This letter, first made public in the great quarrel between Calhoun, Crawford, and Jackson, bears date in December of the same year; in which, while decidedly advocating the claims of Jackson, he denounces Calhoun as being inimical to the General, and urges that his name on the Jackson ticket will create difficulty in the State of Georgia. His dislike of Calhoun outweighed his preference for Jackson; and as he could not, without separating from his friends, support Adams, this fact had well nigh fixed him in a state of neutrality, so fearful was he that Jackson's election "might benefit Calhoun." He even wished to stipulate with Jackson that such benefit should not follow on his election, and urges Balch, who was a near neighbor and friend of Jackson, "to ascertain" if such cannot be distinctly understood. He and

Calhoun had been enemies for many long years, and the events of 1824 had produced an open personal rupture between them; their intercourse had been confined to the mere ordinary civilities of life, and retirement did not bring any abatement of Crawford's animosity. He was as little prone to forgiveness as Jackson himself, where his dislikes had taken firm root; he believed that Calhoun was an unreliable and a deceitful man, and, being now favorable to Jackson's election himself, he could not bear "to see Mordecai, the Jew, sitting at the king's gate." In other words, he believed that Calhoun was too bad a man to stand in such intimate relations with a President of the United States, or to be quietly allowed thus to ride into power on Jackson's popularity. It is clear that this intolerance did not proceed from envy, or ambition, or that meaner feeling which craves company in disappointment. Crawford no longer aspired to office, and thought as little of ever being made President as of succeeding the Great Mogul; but it is beyond doubt, in our mind, that his subsequent unfortunate agency in bringing about the celebrated controversy which drove Calhoun from power and place, was owing alone to the depth and earnestness of this long-cherished enmity. The connection of Crawford with this memorable quarrel between the two first officers of government, is too well known, and has been too much censured, to be passed over without a most rigorous and impartial investigation at our hands; and as our judgment has led us to conclusions quite variant with the common impressions in regard to his conduct, we shall proceed candidly to set forth the reasons which have induced such conclusions.

Crawford's opposition to Calhoun was deep-rooted and interminable; and to effect his defeat he began, early in the fall and during the winter of 1827, to cor-



respond extensively with his friends in the Western States, denouncing the candidate for Vice President as unworthy of the support of Jackson's friends. Among these letters was one written to Alfred Balch, of Nashville, in which, after acknowledging the receipt of one from his correspondent, Crawford goes on to deprecate being made prominent in the approaching contest for President, declares with great candor his preference for private life, but says, nevertheless, that he had already authorized Van Buren and Cambreleng, *who had visited him the previous April*, to make known his opinions. These opinions were favorable to the election of Jackson; but Crawford continues by asserting that there is some difficulty in consequence of Jackson's association with Calhoun. Then follows a series of accusations against Calhoun, fixing upon him the charges of duplicity, inconsistency, and enmity to Jackson. The letter, on the whole, though eminently illustrative of the candor and honesty which had ever characterized Crawford's intercourse with his fellows, is a wretched and most incoherent specimen of composition, showing much more of determined prejudice than of care or taste. It bears not the slightest resemblance to the finished compositions which had emanated from its author in the days of his prime; his speeches in the Senate, his reports as Secretary of War and of the Treasury, and his diplomatic papers while Minister to France. It is so awkwardly expressed in some parts, and the commixture of personal pronouns so incongruously strung together, as to require every auxiliary of emphasis, parenthesis, and all kindred resorts, to point and explain his meaning. True, there are to be found unmistakable traces of the author's mind, though not the mind of 1811; the polished style and classic elegance which distinguished the productions of his zenith are, however,

nowhere to be discerned in this series of letters. This fact, of itself, must be held to demonstrate what has been already assumed in this review, that the intellect of Crawford had been seriously impaired by the attack with which he was visited in 1824.

This and other letters were shown to Jackson, but they produced no visible change in his feelings for Calhoun, nor did they, as expected and hoped, influence the result, so far as Calhoun was concerned, in the popular elections. He was elected Vice President by a decisive majority, on the Jackson ticket; but the electoral colleges for President and Vice President yet held the final determination. These have always been held with peculiar sacredness in our system of government: the electors are the trustees of the high sovereign power of the people of the States, as it relates to the choice of the two first officers under the Constitution. The degree of fidelity with which this trust is thus discharged, controls in a great measure the operation of our governmental system. Still obstinately bent on effecting the political ruin of one he held to be so unworthy of confidence as Calhoun, Crawford did not now hesitate even to strike at him through the electoral colleges; he wrote certainly to two of his friends, and urged them "to use their influence" to secure his enemy's defeat in the colleges, when they should respectively convene. We are obliged to say, that while this, strictly speaking, was a legal, and perhaps an honest course of political opposition, it was not fair or unexceptionable. The colleges are not *specifically* intrusted, but the received opinion is, that they are bound to carry out the popular preference as evidenced by a majority of the votes cast in the respective States which they represent. Every body knows that these votes are cast with reference to the known views of the dif-

ferent candidates for electors who are before the people. The successful ticket is, therefore, the sure index of popular preference as to the candidates for President and Vice President. At the same time, then, that we insist on upholding Crawford's character for integrity and candor, we most decidedly condemn, in view of the grounds here taken, any attempt to influence an electoral college contrary to the evidences of popular preference. Jackson and Calhoun were recognized as running on the same ticket in the State of Tennessee, the first for President, and the last for Vice President of the United States. This had been proclaimed by the electoral candidates, and the people had voted accordingly; we therefore enter protest against the propriety of Crawford's course, when he undertakes, in a letter of a date subsequent to the popular elections of that State, to persuade his friend Campbell, one of the successful Presidential electors, to endeavor to cut off Calhoun from the vote of Tennessee as Vice President. Nothing could be more hurtful to the integrity of our political system than to adopt his course on this occasion as a legitimate precedent. That will be the saddest day in the history of this republic, when an attempt to countervail and nullify the popular decisions shall succeed through the medium of extraneous influences brought to bear upon the electoral colleges. There is not a more delicate feature belonging to the Federal Constitution than the mode of making a President, and its very delicacy argues its wisdom. The trust is one entirely of honor, and dreadful is the responsibility of accounting to the people for the forfeiture of such confidence; the very absence of all prescribed safeguards to enforce compliance with their decision, makes dereliction the more terrible to be encountered. If there was a legal penalty involved, a

legal and full defence would be necessarily allowed. Both are precluded, and the safety of our government lies in the strict observance of the sacred obligation imposed on the electoral colleges.

The fact that Crawford wrote letters both to General Campbell and Colonel Barry, urging them to use their influence to defeat Calhoun before the colleges, is unquestionably true; the political world was made acquainted with the fact more than twenty years since. That he intended mischief to the Constitution, no one can or will say, not even his fiercest enemies; but that his advice involved mischief, is clear and undeniable. That advice was melancholy evidence of his waning faculties of mind, which were now too far impaired to comprehend prudential political considerations, where no direct invasion of the Constitution or the law was intended, and where the aim was to defeat a man whom he honestly thought to be unprincipled and dangerous.

This project failed signally. Calhoun went into the office of Vice President by a triumphant majority, was considered first in the confidence of the President, and was generally regarded as the most prominent aspirant for the succession. Together, he and Jackson were duly installed on the fourth day of March, 1829. Every thing went on prosperously and swimmingly with the party in power; the administration at once attained to a popularity that seems, at this distance of time, to have been nearer akin to blind idolatry than rational approbation. The country went mad with admiration of Jackson, and his favorites and ministers were so far lifted along on this scale of popularity as to be thought incapable of doing wrong; and among these, Calhoun stood confessedly highest. Having failed to effect his overthrow, Crawford had now retired from the contest, apparently reconciled to the inevitable course of events. But new



actors now suddenly appear on the stage. A conspiracy—for it can be called by no other name, in our judgment—was hatched and perpetrated, of which Crawford was made the unconscious instrument, of which Jackson himself was the dupe, and of which Calhoun was the victim. This was to drive Calhoun from power and popularity by destroying him in the confidence of the now all-powerful President. The same motive which actuated Crawford's efforts in the late election, here again prompted him to pursue Calhoun: inveterate personal enmity, which aimed at nothing short of the disgrace of one alike distrusted and hated. When we say that Crawford was the unconscious instrument, we do not mean to say that he was unconscious of attempting to ruin Calhoun; we think it is quite clear that he was expressly aiming to effect that end, by making public certain transactions of Monroe's Cabinet, which had been discussed in 1818.

On a sudden, the nation was astounded with the news that an irreconcilable feud had sprung up between the President and Vice President. This was in the spring of 1830, but little more than twelve months since the inauguration. A copy of a letter had been placed in Jackson's hands, which excited on the instant the whole ferocity of his nature, and made him the mortal foe of Calhoun. This letter made known that, at a meeting of Monroe's Cabinet in the summer of 1818, called to deliberate on the events of the Seminole war, Calhoun had distinctly proposed that the commanding general, Jackson, "should be reprehended in some form, or punished in some form," for alleged unauthorized and illegal conduct in the prosecution of said war. The writer of this letter was William H. Crawford, and it was directed to John Forsyth, one of the Senators from the State of Georgia. How or for

what reason such a letter was wrung from Crawford at such a time is, to some extent, a matter of conjecture to this day; though no one who is informed of all the facts, doubts that the design was to effect a personal breach between Jackson and Calhoun, and thereby to destroy the political consequence of the latter. Crawford had authorized Forsyth to show his letter to Calhoun; this is proof that he believed what he said, and that he desired no concealment. Forsyth, for some reason, did not comply; he sent the letter immediately to Jackson, and Calhoun never saw it. A copy was given to him, but it was not a complete copy; important and significant names were left in blank, which the author would have scorned to conceal. He was playing, if not a magnanimous, at least an open game. Crawford was the last man on earth who would condescend to palpable meanness or to disguise; he was both too independent and too fearless to resort to either. If he was guilty of improprieties, they were improprieties consequent on a failing and an erring judgment, not the offspring of a bad heart or of wilful wrong. But others were neither so nice nor so frank. We are wholly unable to find an excuse for Forsyth, much less for the contrivers of the plot; we think that Forsyth was bound to show the original letter of Crawford to Calhoun, as directed, before he gave it into the hands of Jackson. There was no injunction laid on him by the writer to show it to Jackson at all, though few will doubt that such was intended. But there is a twofold reason why Crawford must have desired and why he directed that the letter should be shown to Calhoun in the original. In the first place, it was due to candor and fairness of dealing; and in the next place, Crawford evidently desired that his enemy might have the chance of attempting a correction, if he had inadvertently

erred in the statement of facts. Had his directions been followed, the main correspondence would then have occurred between himself and Calhoun, instead of between Calhoun and Jackson. Besides, in such event, much injury might have been averted from Calhoun, as he would then have possessed the full means of unravelling the plot—the suppressed names in the copy being undoubtedly the index. Much mortification might also have been spared to Crawford. After the correspondence had been opened with Jackson, in consequence of Forsyth's omission to obey his friend's injunction, Calhoun peremptorily and quite haughtily refused to recognize Crawford as a principal in the controversy, returned his letters with a most insulting reply, and declined all correspondence except through the President. We must say that, on the whole, we think Forsyth occupied quite a remarkable, not to say unenviable position in connection with this affair; and we are at a loss to reconcile Calhoun's ready admission that he did not allude to Forsyth as being concerned in the efforts which were being made to cause a rupture between Jackson and himself. No matter what may have been Forsyth's motives (and these we shall not impeach), it is clear that the breach was effected through his immediate instrumentality. At the request of one Hamilton, of New York, a friend and political ally of Van Buren, Forsyth writes to Crawford, asking a statement of the Cabinet transactions of 1818, relative to Jackson's conduct in the Seminole war. Hamilton asked this of Forsyth at the request of Jackson, who states that he was induced to make the request from what had been told a friend of his by the Marshal of Columbia District. This certainly looks quite mysterious, especially in view of Hamilton's connections. *Who* was the friend that had thus informed Jackson of the Marshal's state-

ment, and of Hamilton's knowledge of the same fact: viz., that Calhoun had moved to punish Jackson at the Cabinet meeting alluded to? This personage has never been positively known, though conjecture (and circumstances were pointed to which were held to authorize such conjecture) has settled the identity on Martin Van Buren. This we shall not attempt to confirm or to confute; but it is clear that Forsyth's interference at this period of the plot directly caused the rupture between the President and Vice President; and his omission to comply with Crawford's directions to show the letter to Calhoun, would seem to imply, on his part, at least a very questionable indifference as to the results that were sure to follow.

During the progress of the controversy, several questions of veracity arose between Crawford and Calhoun, which were never definitely settled, so far as history is concerned. The first of these was in relation to a letter from Jackson to President Monroe, dated previous to the invasion of the Spanish territories, which Crawford asserts to have been produced at the Cabinet meeting in question. This Calhoun denies positively, and brings to his aid, as proof of the denial, a long array of letters from various heads of departments, all of whom profess to recollect nothing about such a letter as Crawford had designated. The last was the alleged change of opinion on Crawford's part, regarding the conduct of Jackson on the same occasion. Calhoun again brings in letters from McDuffie and others to substantiate the charge. We shall not attempt to pass judgment on so delicate a point; we may believe that Crawford was liable to err, and, from a treacherous memory, probably to mistake facts, inadvertently, as most men may do. But no testimony could induce us to entertain for one moment the charge that he was



ever guilty of deliberate falsehood. We have ever held an equally high estimate of Calhoun's integrity, and thus feel restrained from dwelling further upon so unpleasant a matter. In long years after, when the immediate families and friends of each party shall have been gathered to their fathers, and when feelings induced by the controversy shall no longer glow within living bosoms, then the impartial reviewer may enter with propriety on the discussion, and thus eviscerate the truth of history.

The quarrel between Calhoun and Jackson was permanent and irreconcilable, and it was most probably intended by those who had fomented it, that *no reconciliation should take place*. The object was evidently much more allied with motives of political advancement and degradation, than with private enmities and preferences. Calhoun was driven from power, and his national popularity sank beneath the irresistible fiat of his more admired though less gifted rival. He never afterwards regained his former hold on the affections and confidence of the American people, and it is seriously denied by his friends that he ever made any attempt which looked to such object. He quitted the post of Vice President, and obeyed the voice of his beloved State, which had called him to the United States Senate, to there expound and advocate, with his great powers of mind and of debate, the unfortunate doctrine of nullification. He devoted the balance of his life to the promulgation and defence of this and kindred doctrines, and became wholly sectionalized in feeling and in conduct, although the whole country acknowledged, to his dying day, the powerful influence of that splendid, commanding intellect, which had made him a giant of his time, and had sustained him in all his parliamentary conflicts with the combined forces of our greatest statesmen.

## MACAULAY'S HISTORY OF ENGLAND.\*

SINCE the days when the celebrated novels of Sir Walter Scott were issued from the Edinburgh press, and heralded forth to the eager and admiring world as productions from the magic pen of the unknown "Author of Waverley," no work has created such high expectations or been read with such lively enthusiasm as that now before us. Indeed, it has been rather devoured than read, and seems to have been sought after, (if we may be pardoned the expression in connection with so popular a book,) more with the desire to gratify an ephemeral curiosity than with a view to solid improvement. This species of *furor* is harmless and tolerable when produced by the pompous annunciation of a new novel from Bulwer or Alexandre Dumas; but it is very apt, if not quite sure, to prove fatal in the end and consequences, to the permanent popularity and esteem of a grave history—and more especially of a history of England. The impressions of fiction are pleasing, light, and transient, and even where a novel is deficient as to style and sound moral instruction, the interest of the story, if only tolerably sustained, will rescue it from harsh or condemnatory judgment. But it is far different with a work of history. Diffuseness

\* Macaulay's History of England. New York: Harper and Brothers.

of style, sparkling sentences, entertaining and brilliant episodes, occasional and tasteful metaphors, will do well in romance, and it is mainly in romance that such things are looked for by the refined lovers of literature. In a work of history these all, in our humble judgment, are both untasteful and sadly out of place, especially if the author's ambition is directed less to ephemeral popularity and to the desire for speedy profits, than to a lasting fame and lofty place among historians who will be read in after ages as reliable for authority and reference, as well as for useful instruction. We shall be much deceived if the brilliant and gifted author of the work now before us, does not experience the truth of the above remarks before many years will have passed. We are much mistaken if Mr. Macaulay does not soon find that his hopes of greatest fame must rather be reposed on those splendid Selections and Miscellanies, recently collected and published from among his numerous contributions to the Edinburgh Review, than upon this work of greater labor and higher expectations. The first may challenge not admiration only, but the severest and harshest scrutiny also, as to beauty, novelty and terseness of style, acute and unequalled powers of criticism, splendor of description, correctness and vigor of judgment, and rare fertility and chasteness of imagination. Besides all this, the Miscellanies are replete with sound lessons of instruction in ethics, the sciences, and politics. They abound with nice and elaborate illustrations of human character in all its features, and of human nature in all its aspects. All of this description of writing that we find in his history, we shall find previously and better done in his Miscellanies. Nor is Mr. Macaulay at all singular in the notion, if, indeed, he has chosen to rest his reputation on the work which has cost him most time and

labor, in preference to what he doubtless deems his lighter productions. Both Petrarch and Boccaccio were engaged for years in writing ponderous volumes of Latin on which to repose their fame, and through the medium of which they had fondly expected to be handed down to a remote posterity. Yet these works of labor are scarcely known, never or very rarely read, and are passing from all connection or association with their names; whilst the Sonnets of the first, and the enchanting Decameron of the last, written by both at intervals of leisure and as mere pastime, have attained to a world-wide fame, and, as specimens of elegant and pure Italian, have long been preserved as precious and priceless treasures of the literature of the fourteenth century. Machiavelli labored arduously and long at his history of Florence, a work which embodies vast learning and which contains many reflections that afford a clue to his real political sentiments and governmental notions, and by which he doubtless hoped to live in the memory of after generations. Yet it was in the gloom and sad seclusion of a prison that he produced that singular little volume,—singular both for its power of thought and atrocity of sentiment,—which has consigned him to an eternal fame of odium, and coupled his name with that of “the Prince” of demons. Even Sir Walter Scott thought seriously, near the close of his unparalleled career, of discarding his grandest productions as a basis on which to rest his permanent fame, and even boasted at the well known “Theatrical Fund dinner,” that a work was soon to see the light from the author of *Waverley*, that would throw all other productions from that celebrated and gifted source, completely into minority and secondary estimation. This work, thus singularly announced, was his life of Napoleon Bonaparte. Yet the contrary, as



doubtless every sagacious hearer imagined when the declaration was made, has been the case. The biography, except for the beauty and power of its style, is generally regarded as imperfect in point of main facts, and as every way unworthy of its illustrious author; while the novels,—read now in every class of society with the same interest and enthusiasm as when, years ago, they flew from the press like lightning, to dazzle and charm a bewildered world,—have been long set aside and marked for perpetual stereotype. Mr. Macaulay, then, has distinguished associates, if indeed, like them, he has been weak enough to suppose that the volumes before us, bearing though they do, the marks of untiring labor and diligent research, will be hailed by a succeeding generation in preference to his *Miscellanies*, as the enduring monument of his fame.

But, apart from considerations of this character, it is very certain that no book of the present time has been welcomed from the press with such general laudation and eagerness, or read with such blinded avidity. So popular a miscellaneous writer has surely not appeared in the character of a historian since the days of Sir Walter Scott. And although we must candidly confess our disappointment in the work, yet its popularity is so great and the prestige of the author's name so overshadowing, that we feel it to be an act of presumption and temerity to offer even the *least* disparaging criticism. And if it be true that high expectation is almost always followed by disappointment, as Lord Jeffrey remarks, it is scarcely possible that any readers of Macaulay's history should not be disappointed. It is by no means our design in employing this remark to reflect upon the general merits of the production, or to depreciate its justly high fame, even were it in our feeble power to do so. On the contrary, we regard it

as one of the most brilliant and entertaining histories we ever read, or expect ever to read. True, it contains little that is new in point of general facts—little that could not be learned from Hume, or Fox, or Burnett. But the minutiae of those facts are spread out with taste, amplified, and explained in a manner that must interest even the most fastidious. The concise and discriminative review of English history, previous to the epoch on which he intends finally and principally to treat; the learned and methodical disquisitions on English Church History, the nice and finely drawn delineations of party differences in the different ages; the bold portraitures of monarchs and statesmen and all descriptions of distinguished persons, either in politics or ecclesiastical history; the power and splendor of diction, the brilliancy of description, the flashes of withering sarcasm, the beautiful episodes, the occasional lovely pictures of domestic life, of love and of death scenes full of agreeable pathos and tender associations,—all these, and much else that might be justly added, form a whole of vivid and absorbing interest that could spring only from a mind of extraordinary vigor and versatility. But it is not like a history from the austere pen of Hallam, profoundly collated, tersely condensed, meditative, and perspicacious; bringing matters to the test of severe scrutiny rather than of superficial or critical review. It does not impress with the force of the smooth, well-arranged, and methodical narrative of Robertson. We do not find in its pages the analysis, the profound philosophy, and rapid but digested condensation of Hume. Mr. Macaulay, therefore, must not expect, when the “hurly-burly’s done,” and when the buoyant emotions of curiosity, excited as well by the pompous heraldry of interested booksellers as by his own great literary reputation, shall give place

to the calm and sober reflux of uncaptivated judgment, to sit unchallenged by the side of great historians. That time will surely come, and it is not, we incline to think, very distant. He who has so often wielded against other aspirants to a like high place the fierce weapons of criticism, must not think to be allowed to pass unassailed and unscrutinized.

Thus far, indeed, our author has swept critics and fault-finders from before him, and the public has sustained him. The only prominent critic who has inked his pen for the task of review was so bitterly and unqualifiedly assaulted by editors and journalists, so bullied by Quixotic *litterateurs*, and so worried by personal attacks, that his effort may be said to have increased rather than diminished the popularity of the work. There were, however, two all-sufficient reasons why the merits of that criticism were disregarded. In the first place, it was put forth at an ill-chosen time. The whole literary world was in a blaze of excitement and silly enthusiasm. Had the excitement been of a rational character, or the enthusiasm been kindled by less *furious* elements, had the longings of rabid curiosity been in the least degree sated, the criticism might have been received and treated with more leniency. But a stronger reason against its favorable reception existed. It was known that it was from the pen of one hostile to Mr. Macaulay, and who owed him a grudge. This, of course, determined its fate. But the circumstances of the case are different now. The excitement and enthusiasm are fast subsiding. It may not, therefore, be deemed presumptuous to scan the merits and demerits of this great work, impartially and fairly.

The introductory chapter of this history is written after the true style of its author. No one who has read his *Miscellanies* could fail to tell that both must

be from the same gifted pen. It abounds with excellent ideas on the nature and consequences of early historical events, imparting at once useful information and suggesting whole trains of deep and improving reflection. Especially were we pleased with the author's suggestions concerning the ancient pilgrimages, the crusades, abbeys, and the spiritual supremacy arrogated by the Pope in the dark ages. From all these the author very clearly and justly deduces important and beneficial results on society and on governments. The pilgrimages caused rude and barbarous nations to become acquainted with the refinements and civilization of Italy and the oriental countries. The crusades unfolded the secret of the benefits to be derived from national combinations, or coalitions between different powers in a common cause. "It was better," as the author says, "that Christian nations should be roused and united for the recovery of the Holy Sepulchre, than that they should, one by one, be overwhelmed by the Mohammedan power." It is certain, we believe, that a superstitious zeal and a fanatical spirit saved the whole of Europe, on this occasion, from the corrosive influences and intellectual darkness of Islamism. Political considerations merely, on the rough diplomacy of that early age, could never have brought about those immense and formidable combinations which diverted the arms of Saladin from conquests and invasions, and drove him to defend his own soil. It is equally certain that if priestcraft had not in that age been predominant, and literature nursed and cultivated in quiet cloisters, the world would not yet have witnessed the lapse of the dark ages. The sombre shadows would still have rested over mankind, and the lore of the early ages been unrescued from the womb of the past. The spiritual supremacy of the Pope was a species of mild patri-



archal dominion which formed a strong bond of union between the nations of Christendom. A common code of international or public law—a fraternal tie—an enlarged benevolence, were among the happy consequences of this supremacy, generally denounced as arrogant and unrighteous in the sight of God and man. “Even in war,” says the learned author, “the cruelty of the conqueror was not seldom mitigated by the recollection that he and his vanquished foe were all members of one great federation.” It is to the reception of the Anglo-Saxons into this religious federation, and to the consequent inter-communication between the Islanders and Italians, that Mr. Macaulay traces the first dawn of a permanent improvement in the civilization and literature of the English people.

A condensed and spirited history of the Norman character and conquest follows upon these reflections, and then the author travels by long and rapid strides to the reign of John of Anjou, the brother and successor of Richard Cœur de Lion. An event in this reign which has been generally represented by English historians as disastrous and disgraceful, is here demonstrated by the author as having been the basis of all the prosperity and glory of England. This event was the expulsion of the English monarch from Normandy by Philip Augustus of France. The Norman barons and nobles were now forced, from motives of interest, to confine themselves and their hordes of wealth to the island. They began to look on England as their country, amalgamated with the Saxons, made common cause with the Saxons against a bad and weak monarch, and then followed the memorable scenes at Runymede where the Magna Charta was extorted. Here, says Mr. Macaulay, commences the history of the English nation. Mr. Hallam also, in the first part of his “Con-

stitutional History," appended to his *Middle Ages*, speaks of this event as having been the first effort towards a legal government. Yet the same author, in a previous chapter, ascribes the date of many of the leading and valued features of the English Constitution to a period earlier than the reign of Alfred the Great; and in another sentence, declares that there is no single date from which its duration is to be reckoned." Certain it is that the main features of the judicial system, and especially the right of trial by jury and the number of jurors, were in existence before the time of Alfred, were further improved by that wise monarch, and were at last confirmed and permanently defined in the Great Charter.

No reader of history, it is true, can well question the fact that it was at this period that "the English people first took place among the nations of the world;" but their authentic history, many of the noblest and most admired features of their great Constitution, may be fairly traced to a period of time much earlier than the conquest. The Great Charter of liberty—the establishment of the House of Commons—the distribution of civil rights to all classes of freemen—the preservation of national independence under the ancient line of sovereigns, which some were rashly anxious to exchange for the dominion of France—the definition and limitation of the king's prerogative; all these, however, date their tangible origin and adoption from this period; and, in this sense, English history proper may also date its beginning from the same era.

At page 46 (Harper's edition), after asserting that it is doubtful whether England owes more to the Roman Catholic religion or to the Reformation, the author opens his account of the origin and character of the Church of England. Much that follows is tinctured

with a good deal of that party asperity and bias which political feeling might very naturally engender in the bosom of a Whig historian when treating of this epoch. No one who reads these pages can fail to discern, at a glance, the political and religious sentiments of the distinguished historian. It is perhaps to be somewhat regretted that the author, in this instance, had not drawn a more salutary and substantial lesson from a complaint which he bitterly utters on a previous page; viz., "the drawback," which English history has received from being "poisoned with party strifes." The author, in the true and bigoted Presbyterian spirit, seeks to rob the church of all claims to that spiritual, apostolic origin which eminent and erudite divines have long labored to demonstrate as being her due. With a disputatious reference to some mere petty differences between her first established clergy, Mr. Macaulay abruptly narrows down and attributes the origin of the church to a motive of political necessity alone—a political "compromise" between conflicting Protestants. He will find many, we imagine, to disagree with him on these points. It is an attack against the whole plan of spiritual economy inculcated and held by her ablest ministers. If Mr. Macaulay's premise and reasoning be true, a fatal blow is given to the high pretensions of the church. Episcopalians believe, and labor to prove, that the church proper existed in England long prior to the date of Henry VIII.'s apostasy, and its subsequent permanent recognition and establishment under Elizabeth. It would be as well, they would contend, for Mr. Macaulay to assert that Christianity itself had no tangible or respectable existence until its adoption and legal establishment by the great Constantine; for what is most unquestionably true, until that period the Christian religion was held to be the lowest, most contempti-

ble, and plebeian form of religion then practised in the world, and scarcely more than dared to show its face for fear of utter and helpless annihilation. The insignificance and political debasement of the early Anglican zealots, the Lollards and others who preceded them, are not to be used as an argument adverse to their holy, apostolic calling, if we believe with eminent divines of the present day. English bishops, say they, were known to have sat in the Council of Nice, a council which was held long anterior to the date of Augustin's visit to the British Islands. They persuade us that the flame of the Church was burning stealthily but steadily through long ages of persecution, until at last, by a concurrence of great events, divinely directed, it shot to its zenith amid the tempests of the Reformation. Right or wrong, therefore, the opinions and arguments of learned and accomplished prelates clash directly and fundamentally with those advanced by this great historian. In his character of reviewer, Mr. Macaulay had the full right to advance and maintain such opinions, and none could find fault with him. It was his individual opinion only, and carried no further weight than his personal influence and consideration were entitled to receive. But these opinions and views carried into an elaborate historical work, intended to be used as authority, and as a guide for opinion to future generations, is quite a different matter; and we much question if Mr. Macaulay will meet with tacit assent on the part of astute and proud divines of the communion of the English Church and its branches.

His character of Cranmer too, though true as to fact and history, must be viewed more as a caricature than a faithful portrait of that distinguished and unfortunate prelate. If governed by Mr. Macaulay alone, we would be seriously at a loss, in forming our relative



estimate of character, whether to plant our deepest abhorrence on Cranmer, the hypocritical villain, or Jeffreys, the open and shameless villain. Certain it is that no previous writer of English history, with whose works we are acquainted, has dealt half so harshly and severely with this most esteemed of all Protestant martyrs who expiated their faith in the flames of persecution. Indeed, from the author's frequent reference to Bossuet, a bitter and bigoted Roman Catholic writer, the reader might very well suppose, that, discarding all contemporaneous English authorities, Mr. Macaulay had assiduously drawn his character of the Archbishop from the jaundiced picture left by that biassed Frenchman. Even Hallam, who, when dissecting character, as our author himself says in his elegant review of the "Constitutional history," most generally draws on the "black cap," deals with remarkable caution and kindness when he comes to speak of Cranmer. He attributes his faults more to the effect of circumstances than of intention, though he insinuates that the Archbishop might have avoided placing himself in situations where those circumstances were almost sure to occur. "If," says Mr. Hallam in his Constitutional history, "casting away all prejudice on either side, we weigh the character of this prelate in an equal balance, he will appear far indeed removed from the turpitude imputed to him by his enemies, yet not entitled to extraordinary veneration." This is a mild, and, as we incline to believe, a just sentence. If Cranmer was entitled even to veneration at all, he cannot have been considered so bad a man by Mr. Hallam as he is represented to have been by Bossuet, with whom Mr. Macaulay mainly agrees in opinion. Mr. Hallam condemns, as all right-thinking men must condemn, the execution, under Cranmer's management, of the woman convicted of heresy, and

of a Dutchman who was found guilty of teaching Arianism. Yet these religious atrocities were the prevailing sin and shame of the age, and may be ascribed, in this instance, more to the weakness and intolerance of education, and to the influence of generally sanctioned custom, than to any rancorous or unusual malignity on the part of Cranmer.

A truly charitable and unbiassed mind will find much in the melancholy scenes of Cranmer's closing days to palliate, if not to justify his alleged errors and weaknesses. He had been marked by Mary, and her vindictive advisers, as a victim, for whom death, speedy and without torture, was not deemed a sufficient punishment. His grave, unassuming piety, his anti-Catholic counsels to Henry the Eighth, the reverence with which he was regarded by the Protestant world, his equally notorious opposition to Mary's succession, his exalted position in the Church, and his abhorrence of papal supremacy, were all taken into account in that barbarous reckoning which possessed the bosom of the fierce and implacable queen, and prompted her to visit such awful and appalling vengeance on the eldest Patriarch of the Church of England. With this view, Cranmer, in the first place, was committed to the Tower for treason, in September, 1553, a short time after Mary's accession to the throne. In the month following he was convicted of this crime for his share in Lady Jane's proclamation. An inhuman motive soon prompted Mary to pardon him; and then began the first scene in that bloody drama. It was resolved to take his life for *heresy*, the more to satiate revenge, and to signalize his execution. With this view he was cited to appear before the Pope at Rome, and although a close and guarded prisoner in England, was promptly condemned for his non-appearance as contumacious.

His first punishment was degradation at the hands of one who was nearer akin, in his nature, to fiends than to men—Bishop Bonner. Then Mary began with her blandishments and unholy cajoleries. His total infamy and dishonor, before death, was the object of these deceptions. Cranmer was visited and entertained by Catholic dignitaries, was treated with marked courtesy and hospitality by the queen's servants, was tempted by every allurements of hope, was courted to his doom by every seductive art. High expectations of preferment were flatteringly held out to him, and then, by way of awful contrast, and to confirm the work of flattery by arousing his fears, the warrant for his execution was shown to him. Cranmer, overcome by a natural fondness for life, and appalled by the prospect of the tortures which awaited him, unwarily fell into the snare. He signed his recantation of the Protestant faith, and subscribed to that of papal supremacy, and of the real presence. Then the monsters of the queen's vengeance mockingly laughed in his face, and were unable to conceal their fiendish exultation. Cranmer at once saw through the plan, and divined his fate. But he resolved to thwart their unholy schemes, and to turn his recent apostasy and his awful death to the benefit of his beloved Church. When it was believed that he was about to make a public confession of his conversion to popery, and when the church to which he was carried was filled with crowds of anxious and exultant Catholics, Cranmer surprised his audience by solemnly abjuring his recent recantation, by confessing humbly his weakness, and by declaring his firm resolve to meet death as a martyr to the Protestant religion. He was immediately hurried to the flames, and died heroically.

This, surely, cannot be the man, allowing for all his human and natural weaknesses of character, whom Mr.

Macaulay bitterly stigmatizes as "saintly in his professions, unscrupulous in his dealings, zealous for nothing, bold in speculation, a coward, and a time-server in action," and as one every way qualified to bring about a coalition of church and state, where religion was to be sacrificed to policy! This same man is eulogized by David Hume, the most learned and accomplished of all English historians, "as a man of merit; as possessed of learning and capacity, and adorned with candor, sincerity, and beneficence, and all those virtues which were fitted to render him useful and amiable in society." Sir James Mackintosh goes even further than Hume, and no one can doubt that these two were possessed of quite as many facts, and full as much information, concerning Cranmer's character, as Mr. Macaulay. We are told by Mackintosh, when speaking of the primate, that "courage survived a public avowal of dishonor, the hardest test to which that virtue can be exposed; and if he *once* fatally failed in fortitude, he, in his last moments, atoned for his failure by a magnanimity equal to his transgression." The united testimony of these distinguished and impartial historians, united on points which contravene materially that of our author, though, doubtless, collated from the same sources, should serve to qualify, to some extent at least, in the reader's mind, the distorted and uninviting portraiture of this venerable prelate's character, as given by Macaulay, with such bitter emphasis. We do not doubt that Cranmer was faulty in many particulars, and deeply so; but it is going further than history would seem fairly to warrant to characterize him as base, crafty, hypocritical, and perfidious.

We come next to one of the most interesting divisions of the first chapter, and, indeed, of the whole volume. It is ground on which Mr. Macaulay may



tread fearlessly, for he has elsewhere evinced that he is thoroughly master of the whole subject. We mean the reign of the first Charles, "a period," says the author, "when began that hazardous game, on which were staked the destinies of the English people." It is truly delightful to travel along with the author through this portion of his task. You see, at every stage, the unmistakable impress of the great mind, with whose thoughts you have grown familiar in the *Miscellanies*. Every scene of the preliminary drama of the rebellion, is brought vividly before the mind's eye, and every part and feature of each scene, even to the minutest details, are as vividly arrayed. No one can rise from the perusal of this account of that interesting period without a feeling of conscious improvement and instruction, without feeling that he has become much better acquainted with the causes and character of a contest which exercised such mighty influence on the English Government. The dawn of the coming strife—the contests between king and parliament, growing gradually fiercer as we turn each page—the towering energy and unbridled ambition of the one, often so mortifyingly humbled; the mild and adroit opposition of the last, untiring, undivertible, proof alike against bullying and cajolery, and at last strengthening into open and formidable resistance;—the rush and confusion of civil war;—the impetuosity of the gallant cavalier;—the calculating, irresistible strategy, the cautious ambition, the vaulting aspirations of Cromwell, never revealed till developed by the consequences, yet never miscalculated or misdirected;—the trial, execution, and heroic fortitude of the unfortunate Charles, are all pictured with startling effect, and treated in a way which tells all who read that a master's hand is guiding them through the mazes of a

period in the world's history, where small minds should never intrude for other purpose than to inquire.

We cannot find that our author anywhere condemns the execution of the king as an act of *injustice*, or moral *turpitude*, on the part of his grim slayers. Yet we must venture to say that we have always viewed it as such in the most aggravated form, at the same time that we fully admit the faults and crimes of Charles. We can never be brought to believe that subjects have the right to inflict, in cold blood, and under a mock form of trial, the last penalty of the offended law, or rather, as in all instances of this character, of no law at all, on the person of their constitutional and legitimate monarch. Yet we do not, by any means, subscribe to the doctrine of passive obedience. We object only to the *character* of the remedy. The punishment of James the Second was quite as efficacious, as to consequences, as the more revolting punishment which overtook his hapless brother. One is justifiable and proper, and the undoubted right of every free people; the last is odious, unwarranted, and wholly inexcusable, in point of justice and sound morality. It cannot be defended even on the grounds of necessity, policy, or example. The banishment or imprisonment of Charles would have been sufficient security to the new government, as was evidenced both in the case of Charles the Second, and of James the Second; and as the office of king was about to be abolished, it was needless on the score of example.

Mr. Macaulay, however, in a most beautiful and powerful passage, demonstrates the execution of Charles to have been, if not a crime, at least that which Fouché pronounced as worse than crime, a political blunder. His public execution, his fortitude, his christian meekness and courage in view of death, his adroit protest

against the forms and authority of his condemnation, his public appeal in favor of the ancient and venerated laws of the realm, threw all advantages against his enemies, and clothed him in the apparel of a martyr. "From that day," says our author, "began a reaction in favor of monarchy and of the exiled house, a reaction which never ceased till the throne had again been set up in all its old dignity."

The succeeding pages, descriptive mainly of the Protectorate of Oliver, though written with great power of argument, and perspicuity and splendor of style, betray again the evident *penchant* of the learned author to lay hold on every thing which may be wielded, even through the august medium of history, in favor of the principles and political tenets of that party to which he is so prominently attached. The English people may well be proud of the government of the great Protector, but, to the eye of Mr. Macaulay, it seems to afford peculiar charms. The praises which he has taken care to "*dole*" (begging his pardon for using a phraseology which we humbly think he has fairly ridden down in these volumes) so sparingly out to the monarchs and statesmen at whom he has been previously glancing, ingeniously lavished on this cold-hearted, unprincipled, though gifted usurper, with showery profusion. Not that there is aught of elaborated eulogy or fulsome panegyric. Every body acquainted with his writings must know that Mr. Macaulay does not at all belong to this class of authors. He possesses too much of taste and stern unbending independence for such a task. He appears greatly to prefer the office of judge to that of advocate, of censor to that of flatterer. But he seems now to forget, or to be too willing to pass over the crimes and odious qualities of the regicide in the high admiration which he evi-

dently feels for the lofty genius and bold character of the Protector of England's proud Commonwealth. At the same time he cannot refrain from an occasional tilt with his favorite weapons of sarcastic, crushing ridicule against the sanctimonious pretensions and drawling hypocrisy of this arch politician and intriguer. Whilst we hear much of the glory and greatness of the Protectorate—its formidable power—its prominent um-pirage in Europe—the dread it inspired abroad—the respect it extorted at home; we are reminded now and then of the author's fondness for "old Mortality," or "Woodstock," by a sly thrust at corporal preachers, versed in Scripture, leading the devotions of back-sliding colonels and majors; at canting, sour-faced hucksterers who cover a thirst for blood under the garb of righteousness and godly pretensions, and at the contemptible, ludicrous picture of Lord Oliver's Bare-bones Parliament.

But it is very easy to perceive from a perusal of this portion of the history, when taken in connection with other productions from the same gifted pen, that Mr. Macaulay is not only a Roundhead in sympathy and political prejudices, but that, of all great men who have ever stamped undying influence upon the world, Cromwell occupies the first and highest place in his estimation. Whether this exalted opinion of one so generally hated by all readers of history, is induced by an undisguised detestation of Charles and his party, or by an excusable pride in the glory which Cromwell threw around English character, or by community of political and religious predilections, we shall not venture to say. Certain it is, however, that while our author ranks him inferior to Cæsar only in taste and polite accomplishments, he places him far ahead of Napoleon in native strength of mind, and in all the car-



dinal qualities (invention only excepted) which form the characters of truly great men. We do not find this comparison in the pages which now lie open before us; but we find it in pages far more brilliantly written, brilliant as these are, and where it is evident Mr. Macaulay spent his principal force of thought and power of composition. Indeed, the character of Cromwell is far more forcibly drawn in the admirable review of Hallam's Constitutional History by this author, than in the more labored work of his English history. It is from the review that we derive our opinion, mainly, of the author's antipathies and predilections. Indeed, the recollection of these previously expressed, and, doubtless, more candid sentiments, prepared us to examine this portion of the history closely and cautiously. We wished to guard against unwary temptations by a brilliant author, who might carry into a work of history the bias of early and cherished prejudices, and the influences of that jesuitical acerbity of thought which kindles so easily in the mind of a partisan reviewer. We now find that we did not act unwisely. The same course of thought, and the same one-sided, prepossessed judgment which we easily discover in the reviewer, we find existing in all their original force in the mind of the historian, only somewhat retrenched, perhaps, and attempered more to the graver character he now assumes. The Cromwell of the review, so feelingly and eloquently eulogized, is eminently the Cromwell of the history. The only discernible shade of difference is, that, in the last, the scope of the reflector through which the reader looks, although one and the same in both cases, is sensibly and prudently diminished.

We were not a little startled on finding that Mr. Macaulay, by a kind of specious negative insinuation rather than by direct assertion, attempts to persuade

his readers of a fact which we have never hesitated to disbelieve. This is, that Cromwell at one time had serious notions of interfering to save the King from murder by his infuriated partisans—infuriated, too, by Oliver's own artful teachings and profound intrigues. Our author even goes farther, in another place, and endeavors to leave the inference that Cromwell, if he had been left alone, would have desired to restore the Stuarts. The two passages from which we take these impressions are the following: "Cromwell had to determine whether he would put to hazard the attachment of his party, the attachment of his army, his own greatness, nay, his own life, in an attempt which would probably have been vain, to save a Prince whom no engagement could bind. With many struggles and misgivings, and probably not without many prayers, the decision was made—Charles was left to his fate."—(*p.* 119.) Again, a few pages afterward, we meet with the following in describing the dilemma in which Oliver found himself placed after he had slain his sovereign: "The course afterward taken by Monk was not open to Cromwell. The memory of one terrible day separated the great regicide forever from the house of Stuart."—(*p.* 124, *vol.* 1.)

Now, in the first place, Mr. Macaulay will find it difficult to persuade most of his readers that this crafty usurper ever put up a sincere prayer after he had begun his public career, or after the first faint sparks of his lurking ambition had begun to kindle and burn. Measuring the rise, and the stealthy, deeply-planned progress of this amazing career by its still more amazing consequences, no one can fail to perceive that from the very first outbreak of civil war, the designs of Cromwell were directed to nothing less than supreme power. His own mysterious and politic conduct on all

important occasions, the assiduous court which he managed always to pay to the army while training and inuring it to the strictest discipline, his fierce and unrelenting mode of carrying on the war, together with the concurrent opinions of all previous writers of English history, leave this clearly to be deduced.

In the second place, it is quite discernible, we think, that Mr. Macaulay, in his great zeal to throw every palliative circumstance around the character of his great favorite, has been led to adopt this opinion from contemporaneous journals and memoirs of interested witnesses, many of whom are referred to and quoted by Mr. Hallam. Ministers, officers, and associates (who mainly compose this class of writers), who survived Oliver, and who lived after the Restoration, would be very naturally inclined to interpolate every thing of this character in their account of a period which was abhorrent to the reigning family—and the friends of the Protector had too long possession of the public archives and documents, and were too wily and sagacious to have neglected such an opportunity of preparing for a reverse or reaction. If, a century or two hence, a historian of the French Consulate and Empire were to build up the character of Napoleon from materials of this description alone, and to discard those more vigorous tests of *deeds* which the Saviour of mankind himself inculcated as the true standard of judgment, and to which selfish man must be brought if we would ascertain his true nature—who of that generation could question the patriotism or purity of a single act of his public life? We choose, therefore, to put aside all evidence of this character in making up an opinion of Cromwell, and to trust to it no further than it can be legitimately reconciled to his deeds. By those deeds and their intrinsic merits must we alone seek to meas-

ure the great Protector. The feats of personal prowess performed on the field of Marston Moor, the consummate generalship so conspicuously displayed at the decisive battle of Naseby, the haughty expulsion of the Long Parliament, was no more done by Oliver to save Charles's life or to restore the Stuart dynasty than was the fiery charge of Napoleon at Arcola, or the dispersion of the French deputies at St. Cloud hazarded with the view of restoring the Bourbons. Covetousness of supreme power, ambition to rise on the ruins of government, were the governing influence and chief motive with both the stern Englishman and adroit Corsican.

The concluding pages of the first chapter abound with the vigorous and spirited description characteristic of this writer. They are read with the intense interest which is created when one is drawing nigh to the *denouement* of a novel like *Kenilworth* or *Woodstock*. Like the novelist, our author holds his readers in a delightful suspense when dwelling upon the feigned irresolution of Monk; and we almost forget, in our admiration of the singular power with which the exciting scenes are brought to their conclusion, that the catastrophe has been familiar to us from childhood. Fancy pictures with a vividness that amounts almost to reality, the eager suspense in each countenance, when first the tidings of Monk's advance were announced in London. Then appears the whole gorgeous panorama of which all England was the scene. Hill and vale, field and forest, teem with multitudes flocking, with open arms, to welcome the hardy legions of the Scottish army. Cavaliers and Roundheads, Monarchists and Republicans, Churchmen and Regicides, make up this enthusiastic and strange assemblage—all united against one artful and dangerous faction. Every eye is now anxiously turned on the cold-blooded, taciturn, inscrutable



general, on whose decision rests the destiny of England. At length he summons that convention which invited the long exiled and friendless monarch to the home and inheritance of his ancestors. Then are seen the flushed cheeks and sparkling eyes of the down-trodden, persecuted cavaliers, whose lips, after long years of tortuous silence, are now at last unsealed—and the excited reader almost finds himself listening to catch the wild strains which ascend heavenward, as thousands of glad voices mingle in chanting one of those pensive lays which were treasured secretly during the iron sway of “Old Noll,” and rude snatches of which Sir Walter Scott so aptly puts into the mouth of his unique character of Roger Wildrake:—

“Though, for a time, we see Whitehall,  
With cobwebs hung around the wall,  
Yet heaven shall make amends for all,  
When the king enjoys his own again.”

Then opens the beautiful picture which closes all, and which our author so briefly but brilliantly describes. We see again that exciting scene which so charmed us in the closing pages of Woodstock. Clouds of dust in the distance, blazing rockets streaming against the brighter rays of the sun, tell us that the restored wanderer is approaching. “Onward come, pursuivant and trumpet; onward come, plumes and cloth of gold, and waving standards displayed, and swords gleaming to the sun; and, at length, heading a group of the noblest in England, and supported by his royal brothers on either side, onward comes King Charles.”\* He is seen to pass amid smiles of welcome, and tears of joy, and exultant acclamation. But what sullen, sour, staid faces are those which, amidst this general joy, alone venture

\* Woodstock—page 283, vol. 2.

to frown at the monarch's approach? Let the answer be given in the matchless language of our author. "On Blackheath the army was drawn up to welcome the sovereign. He smiled, bowed, and extended his hand graciously to the lips of the colonels and majors. But all his courtesy was vain. The countenances of the soldiers were sad and lowering, and, had they given way to their feelings, the festive pageant of which they reluctantly made a part would have had a mournful and bloody end."

We have long thought that this splendid scene, on which both "the great Unknown" and "the great Known" have bestowed their inimitable powers of description, must have been one of the most exciting and joyous spectacles that the world has ever witnessed; and this declaration, we trust, will find us some allowance with the reader who may chance to judge us austere for thus long dwelling upon it.

Having, at the end of the first chapter, safely "lodged the restored wanderer in the palace of his ancestors," Mr. Macaulay opens his second with a wholesome and astute, though rather uninteresting disquisition on the condition of the English Government at the era of the Restoration. He condemns the inconsistency and bad policy of allowing the exiled family to return without exacting new and reliable securities against mal-administration, though he inclines to disagree with the majority of historians in representing the Restoration as a disastrous event. He seems to think, and justly, no doubt, that this event, all unqualified as it was, delivered the English people from the domination of a soldiery that equalled the Pretorian bands of Rome in capriciousness and ferocity. The crisis which followed the deposition of the weak successor of Cromwell was, indeed, one of imminent danger to the integ-

city of the ancient and venerated constitutional government of England. A fanatical and intolerant faction had seized the reins, and supreme power was on the verge of passing into hands which would soon have demolished all the cherished landmarks of constitutional liberty, and substituted instead a rule more galling, more repulsive, and far more precarious than that even of the Rump Parliament which had been indignantly kicked out of doors by Cromwell. Then or never, therefore, was the time for all lovers of rational liberty to harmonize and unite, adjourning, as Mr. Macaulay says, all factious differences until a more convenient season. Monarchy was found to be far preferable to anarchy. The body of the English people acted with characteristic judgment and good sense; dissenting politicians and religionists united for the common weal, and the fruit of that union was the speedy and timely restoration of the exiled monarch.

This chapter is truly a history; differing thus from the first, which is more in the style of a review. It is a succinct and neatly arranged narrative of facts, interspersed with less of that digressive and continuous essaying which we find in the preceding, with fewer of the romantic and entertaining episodes which abound in those that follow, and with very little indeed of that proneness to tiresome biographical detail which disfigures the entire work. If the whole had been written in the style and method of the present chapter, the book might truly have been less brilliant, less entertaining, and less rapidly sought after by the multitude. But, at the same time, there can be little doubt, we think, that it would more surely have outlived this mere ephemeral and superficial popularity, and be finally stored away with such authors as Hallam, as Robertson, and as Clarendon, as a work to be consulted

hereafter, more for solid instruction and authority than for entertainment merely.

During the earlier years of Charles the Second's reign, England may be said to have been in a state of transmutation. During the reign of the Puritans all kinds of public and private amusements were sedulously and harshly discouraged. The whole country was a vast religious camp-ground for the operations of drawling snufflers like "Tribulation Wholesome," or "Zeal-of-the-land Busy," like "Praise God Barebones," or "Boanerges Stormheaven." The cottages were filled with prototypes of "douce David Deans,"—the palaces with sycophantic minions of Pym and Harrison. The public squares, the village-greens, and cross-roads were nowhere made merry by Punch and Judy, or May-day festivities. Drawling sermons, tortuous prayers, and nasal psalmody in "linked sweetness long drawn out," had supplanted all such abominations and sacrifices to the beast and to Baal. The nose of Ichabod Crane would have been rarely valued in an age which produced Ludowick Muggleton, and other fervent "sons of grace," like himself. Such was the social condition of England when the "merry monarch" came home to his inheritance with Wilmot and Villiers, and their accompanying trains of bastards and prostitutes, and pasquinaders and buffoons. The transition was sudden—startling—bewildering; but, in one sense it was complete. It was like exchanging on the moment, the sombre gloom of a prayer-meeting conducted by saints and psalm-singers, for the gorgeous brilliancy and entrancing scenes of an opera saloon. In a short time, too short, it seemed, to be otherwise than a pleasing vision of the night, the churches which had long been closed to the established form of worship were again opened, and nave, and arch, and gallery, whose



echoes had long been silent, once more resounded with those loved and melodious strains which the solemn organ hymned forth to celebrate this joyous exit of intolerance and persecution. The down-trodden and proscribed drama was speedily resuscitated, and the play-houses were crowded nightly with blazing devotees of fashion and pleasure. The glittering pageantry of Whitehall dazzled eyes which had long been accustomed to view with awe the grave and stately pomp of Cromwell's court. The voluptuous charms and winning graces of Eleanor Gwynn and Louise de Quéroualle, shone with a lustre in the saloons and drawing-rooms that called up lively images of Versailles and Marly, and which dimmed the vision of those who could scarcely credit that *these* were the successors of Mrs. Ireton and her staid sister. Armed troopers and godly expounders of the Word were no longer jostled in the ante-rooms of the presence-chamber. Ambassadors, and nobles in their robes of State, lords of the bed-chamber in their flowing, splendid vestments, gaudily attired pages in waiting, and liveried lacqueys had now taken the place of these; while, in the presence-chamber itself, was seen a showy, easy-mannered and accomplished personage, affording, in every respect, a singular contrast to the grave deportment and mean appearance of his grim predecessor. In fact, it was every where evident that the domination of the saints, both socially and politically, was for ever done. Nor is it to be taken for granted, that all even of this class mourned the downfall and overthrow of the sombre and cheerless reign. Many humble cottagers and peasants who had conformed to the prevailing habits doubtless for peace and security, rejoiced when the time came that they might safely indulge once again in fond Christmas festivals, and week-day

convivialities; and wild country squires, and rude jockeys and sportsmen, hailed the return of that liberty which relieved their halls of crop-eared lecturers and exhorters, and allowed them again to bear-bait and horse-race. Some who, in the days of the Protectorate, had been most fervent and vociferous in amens and ejaculations during worship, afterwards took petty bribes to pimp for Buckingham, and introduce favored rivals of the king to the boudoir of Barbara Palmer. Indeed, if the divine standard of secret thought and forced compliance to right be erected by which to judge, we should doubt most seriously whether the moral condition of England was at a lower ebb after the Restoration, than during the saintly dominion of Cromwell.

We were pained, however, to find on page 169 of this chapter, more evidence of that bitter spirit which influences our author in his opposition to the Episcopal form of religion. Not satisfied with denouncing the prevailing immorality of libertinism, both in the political and social world, Mr. Macaulay indirectly, and by insinuation, seeks to lay some of the blame on the Church of England. We are prepared to admit that her clergy were too intent on religious vengeance against Puritans, and too eager in extorting amends for the pillage and deprivations they had suffered from their stern persecutors. But the pure morality of the liturgy, the whole admirable economy of the Church, stand forth in noble vindication of slurs which a historian, whose duty is rather to instruct than to proselyte, should be cautious in throwing out. Yet our author does not hesitate to use the language of the following sentences: "The ribaldry of Etherege and Wycherley was, in the presence, and under the sanction of the head of the Church, publicly recited by

female lips in female ears, while the author of the *Pilgrim's Progress* languished in a dungeon for the crime of proclaiming the Gospel to the poor. It is an unquestionable, and a most instructive fact, that the years during which the political power of the Anglican hierarchy was in the zenith, were precisely the years during which national virtue was at the lowest ebb."—(*p.* 169, *vol.* 1.)

It is impossible to mistake the intention of the author in these sentences, or to avoid the inference so unfavorable and unjust to the integrity of the Church of England. Does Mr. Macaulay mean to say that the Church was scandalized in the person and by the vices of the monarch, or that she is responsible for the same? And yet it would seem that such are the points of allusion, inasmuch as "the head of the Church" allowed and countenanced ribaldrous indecencies. Under the statute of Henry the Eighth, the king "is reputed to be the only supreme head in earth of the Church of England." This important relation of the king to the Church is attributable to the connection in England between Church and State, and is of a legal or governmental character exclusively. In this capacity he has the right to nominate to vacant bishoprics, to convene, prorogue, restrain, and dissolve all ecclesiastical convocations. He alone receives a resignation from the chief dignitary of the Church, the Archbishop of Canterbury; and to him lies the ultimate appeal in Chancery, from the sentence of every ecclesiastical judge. This is the sum and substance of Blackstone's interpretation of this connection of the king, as the supreme head, with the Church. But, in no case is the king named as guardian of the spiritualities of the Church. "During the vacancy of any see in his province," says the great commentator, in speaking of the Archbishop of

Canterbury, "he is guardian of the spiritualities thereof, as the king is of the temporalities." Under this view of the subject, we think Mr. Macaulay's readers have the right to complain of his disingenuousness in this instance. It certainly is unfair to arraign the Church for the immoralities of a king who is only her supreme temporal head by virtue of his sovereign prerogative, and who is the recipient, and never the dispenser, of her spiritual benefits. The expression, altogether, is less worthy of an impartial historian than of a disputatious and biassed controversialist, and forms an exception to the general tone of the chapter.

The latter part of this first sentence, quoted above, can only be characterized, we are bound to say, as demagogical, and as being strangely out of place in a grave work of history. Nor is this all. It does not strictly convey the truth, nor does it leave the truth to be inferred. At the time of Bunyan's most unjust confinement he was not "the author of the Pilgrim's Progress," and it is more than probable that had he never "languished in a dungeon," that beautiful and treasured allegory would never have been given to an admiring world. During the civil war Bunyan had borne arms in the Parliament army, and imbibed all their austere notions of religious duty and severity of life, as his after career proves. Having inflicted upon himself a series of mental tortures which would have terrified a monk or a friar, he turned preacher, and, in open defiance of the law, began to proclaim tenets and doctrines which were deemed mischievous, and as being too nearly allied to the dangerous inculcations which had led to the fierce persecutions of the commonwealth, to be publicly allowed; and for this contumacy and opposition to Government, and *not* "for proclaiming the Gospel to the poor," was John Bunyan thrown into



prison, and left to drag out a miserable confinement of twelve years, narrowly escaping the transportation to which he had been condemned. It did not matter in the eye of the law, nor do we presume that it was inquired into on his trial, whether his hearers were men of wealth, or *poor* men; the sentence, in either case, would have been the same. It was during this long and painful imprisonment that Bunyan conceived ideas of authorship; and then it was, in the depths of a dungeon, more sombre and solitary than the valley of the Shadow of Death through which Christian is made to pass in his road to the Delectable Mountains, that he indited that wonderful book which has made him the delight of nurseries and firesides, of the palace and of the cottage, and which has given immortality to the name of a tinker's son. It may not be without its purpose, that we add to this narration the fact that Bunyan was, at last, released from prison through the influence and intercession of one of that "Anglican hierarchy," which Mr. Macaulay so sweepingly disparages in the page before us.

We are unable to perceive any thing else than the ebullition of strong prejudice in the "unquestionable and instructive fact" which the author states in the last sentence quoted. Apart from this, we cannot discern its force and meaning. We cannot discern its pertinence to the *history* at all. But, admitting the fact, we deny the truth of the inference intended to be deduced. The fact may be true, and yet not detract, in the least, from the spiritual integrity or moral pretensions of the Church. If the legal re-establishment of the "Anglican hierarchy," after years of persecution and proscription, is to be termed the "zenith of its political power," we do not perceive why this should connect the same with the profligacy of the age, or make

the Church responsible for the "low ebb of national virtue," immediately after the Restoration. Political power may be conferred and confirmed in a day, and from the date of the enactment. Spiritual influence is the work of time, of labor, and of unremitting diligence. At a time when all England was wildly engaged in celebrating the joyous Carnival which had, in this instance, succeeded a tortuous and long Lent, was delirious with excitement, and mad with delight at escape from Puritan dominion, it might not have been safe or politic—it certainly would have been no easy task—for the Church stringently to have interfered so soon after her own restoration, and to have impressed her pure morality and admirable precepts on a giddy population.

We have very great veneration for the ancient and venerable Church of England, as well as for its more faultless branch in the United States, and, American though we are, would most sincerely lament its downfall as politically connected with the Government. We believe that separation would prove fatal; or, in other and plainer words, that the destruction of the one would be the inevitable destruction of the other. Much of England's national glory and all of England's happiness is attributable to her admirable and cherished social attachments and associations, and these last are closely interwoven with her Established Church. We can appreciate and understand our author when he speaks of Cavaliers, who, indisposed to "shape their lives according to her precepts, would yet fight knee-deep in blood for her cathedrals and palaces, for every line of her rubric, and every thread of her vestments." She is intimately connected with all the associations of love, with all the tender relations of marriage, and with all the fond endearments of home and of family. She is a bond of union between hostile factions in the state.

Even civil war and ruthless proscription could not eradicate her influence, or destroy the strong hold she has on the affections, the associations, and social prejudices of a majority of the English people. It is, indeed, "an unquestionable and a most instructive fact," that since her legal existence and connection with the state, no hostile foot has trodden her soil, even if we make an exception of the descent of William the Third, which was invited and connived at by the whole nation, and in which Englishmen were the prime movers. We have no desire to see these strong ties severed, or this fortunate union of Church and State broken, in a country where is centred the peace and prosperity of two great continents. We fully believe Mr. Macaulay when he says, "that a civil war of a week on English ground would now produce disasters which would be felt from the Hoangho to the Missouri, and of which the traces would be discernible at the distance of a century."—(p. 32.) And it is for these reasons, and these alone, that we regret that a writer of this author's great influence and celebrity should partially convert a work of history to the purposes of depreciating an institution, and disparaging an establishment, in the most vital of its claims to honor and reverence, on the perpetuity of which, as we humbly conceive, depends the welfare of the English Government, and, in that, the peace and prosperity of the whole world.

But the same people who, in this age of profligacy and immorality, were entertained with the lewd productions of Congreve and Wycherley, were also sufficiently impressed with the interests of civil liberty and private rights to project and extort the great act of Habeas Corpus, the day of the sanction of which our author justly denominates "a great era in English history." This key to the dormant and inactive immuni-

ties contained in the Great Charter was reluctantly given over to the English people by their jealous monarch. Our author tells us (page 232) "that the king would gladly have refused his assent to this measure, but he was about to appeal from his Parliament to his people on the question of the succession, and he could not venture, at so critical a moment, to reject a bill which was in the highest degree popular." So materially, we thus perceive, do the most treasured rights of mankind depend on the caprice or policy of selfish rulers.

In this chapter we are treated to concise and spirited accounts of the Popish Plot, the Ryehouse Plot, the perjuries of Titus Oates, so sickeningly bloody in consequences, and the treasons of Monmouth, Charles's bastard son by Lucy Walters, who was married by his father to the heiress of the noble Scotch house of Buccleuch, a house from which collaterally descended, in long after years, the "mighty wizard of the North," the great "Author of Waverley." The important and romantic interest which belongs to the life of this unfortunate nobleman, together with the melancholy fate which overtook him in the reign of his cruel uncle, authorize Mr. Macaulay in dwelling on his birth, parentage, and early court life and military achievements, which he does in a manner at once the most entertaining and instructive. We are next introduced successively to three of the most noted political characters which figure in English history. These are the younger Hyde, Godolphin, and Lord Halifax, whose name has been commemorated, in divers ways, as well in these United States as in England. Mr. Macaulay has given a description of this distinguished and influential statesman (the most so of his time), which, while it raises our previous estimate of his consummate abilities, rather de-



preciates our opinion of the consistency and inflexibility of his character as a statesman and minister. And we might extend this remark to most of those great men whose portraits make up the general contents of this volume and part of the next. It is a characteristic of Mr. Macaulay, as a historian as well as reviewer, to deal rather with the dark than the bright side of human character. He goes mostly upon the levelling principle, and before he has done with a character of history, the reader scarcely knows whether to admire or to detest; and between the two issues, generally leaves both for a feeling of contempt. We shall give examples of this propensity of our author before these desultory remarks are brought to a conclusion.

The ludicrous account of the Dutch war excites our contempt, at the same time that it moves us to laughter; and the language in which this dark story of Charles's reign is told, shows in a manner the most emphatic, our author's utter detestation of "that feeble tyrant," trembling in his luxurious palace at the sound of De Ruyter's cannons. "Then it was," says our author, "that tardy justice was done to the memory of Oliver. Every where it was remembered how, when he ruled, all foreign powers had trembled at the name of England; how the States-General, now so haughty, had crouched at his feet, and how, when it was known that he was no more, Amsterdam was lighted up as for a great deliverance, and children ran along the canals shouting for joy that the devil was dead." (*p.* 179.) And, indeed, at no period of her history had the chivalry of England been at an ebb so low, or her resources so little understood or at command. Buckingham and Rochester could flirt with women, and venture a tilt at swords with jealous gallants or outraged husbands and fathers; but they did not relish the sterner game

of meeting armed Dutchmen in battle. The few gallant spirits around the person of the king were disgusted with these insolent favorites, and shrank from encouraging a contest in which such minions and parasites might exert an influence at once to be deprecated and dreaded. The position of England in the European system during this entire reign was far from being important, if it was not even despicable. Indeed, she was almost regarded as the mere vassal of France, as her monarch certainly was the stipendiary of France's king. And yet it was during this same feeble reign, as we learn further on, that sprung the first germ "of that great and renowned army, which has in the present century marched triumphant into Madrid and Paris, into Canton and Candahar." To this army England owes all of her glory and all of her greatness. Commercial houses whose operations extend from the Thames to the Ganges, and from the Exchange of London to the bazaars of Pekin and Benares, would never have reached beyond the European or American Continents, if even so far, if the military spirit and strength of the nation had been less fostered and cultivated. Even so late as the present century, England might have shared, at the hands of the French Conqueror, the fate of Prussia and of Austria, but for this energetic and formidable development of her martial power. It can scarcely be doubted that, if victory had declared for Napoleon on the field of Waterloo, England would have been crushed, or, at least, severely and vitally crippled. And yet the civil liberties of England are not at all endangered by her grand military system. Experience has abundantly shown that the arm of government generally deemed the most dangerous to free constitutions and free systems elsewhere, is in this country skilfully converted into an efficient and power-

ful arm of defence to both. England was never truly great commercially and politically, until her regular standing army was regularly established and appointed. Here, in our judgment, may be found the best means of solving the enigma which for two centuries has puzzled mankind. It was not until then that her policy expanded and ripened, not until then that her enterprising citizens found that great wealth and great glory might be made to travel hand in hand, and that both must be found elsewhere than within the narrow limits of their own island. From that moment, through all diasters and reverses consequent on long and bloody wars, all classes of society began to improve, and her commerce began to spread and to prosper. Since then, it is true, England has scarcely seen a whole year of uninterrupted peace with the whole world, but, in the mean time, she has scarcely experienced even the slightest retrogression. Trite maxims of ethics may do to inculcate as the basis of all proper government in some countries; England has staked her destinies on pursuing the more practical system of politics.

The strong faith of Mr. Macaulay in his own plan of writing history, as laid down in his essay on "history," and given to the world years since through the pages of the *Edinburgh Review*, is abundantly shown in the third chapter of the first volume now before us. The whole tenor and nature evince his desire to come up to his own standard. The conformity of the history to the model erected in the essay, in point of long and occasional prosy detail, in point of anecdote and memoir, in point of biographical narration, and in point of minute statistical inquiry, is admirable and eminently successful. The same ideas are advanced in his pleasing review of Mackintosh's history of James the Second—"a history of England"—he there says, after

having gone through his imaginary plan, "written in this manner, would be the most fascinating book of the age. It would be more in request at the circulating libraries than the last novel."

A fleeting shadow of this coming event to be realized so gratifyingly in his own case, doubtless prompted this remark. If Mr. Macaulay's ambition was directed solely to attain the name of having written a history most intensely "fascinating," and which would outstrip competition with works of fiction in the race of demand at the book depots, he has every reason to be satisfied, for his history has been even *more* sought after than any of the "last novels." But with all becoming deference to so august a judgment, we still think that history should be written mainly with a view to something else than these "charms" so peculiarly fancied by Mr. Macaulay. With all his staid and severe narrative, and "majestic etiquette" of method and style, we must say that we tire less soon of Henry Hallam than of T. Babington Macaulay, with all his flowing redundancy of narrative, his rare accomplishment of style, and his total disregard of those "conventional decencies" of historical compilation which he denounces as "absurd."

The chapter under consideration may be useful to the masses of the curious, and to such as are fond of minute statistical research, especially in England, but we must hazard the confession that its great length, its scrupulous, undeviating particularity, even in the nicest points, and its barrenness of general historical interest, wearied us sadly before we saw its end. The cause of this may be, and we are bound to consider was, less in the distinguished author's want of taste, than in our own want of the proper appreciative faculties, but so it was, any way, and the confession must pass for what it



is worth. We surely wished that the author had sought less to avoid an error which he so unsparingly condemns in other writers when, in the essay on history, he speaks of the most characteristic and interesting circumstances being omitted or softened down, because too trivial for the majesty of history. After preparing to read grave, condensed history as that "philosophy which teaches by example," we cannot find much of interest in lengthened descriptions of the size of great towns in such and such a century; of how milliners, toy-men, and jewellers came down from London, and opened bazaars under the trees which surrounded the watering towns of Cheltenham, of Bath, of Brighton, and of Tunbridge; and of how fiddlers played, and morris dancers caprioled "over the elastic turf of the bowling green" of fine genial evenings. We do not look for such things in a work which has just absorbed our interest in recounting the more solid scenes of Cromwell's career, and of grave contests between monarchs and their parliaments. In Miss Pardoe's *Court of Louis the Fourteenth*, and in Mrs. Jameson's *Beauties of the Court of Charles the Second*, we delight to read of these pleasing interludes and romantic indulgences; but, after conducting us to the very eve of that stirring epoch on which he has promised his readers more particularly to dwell, the ardent admirers of Mr. Macaulay (in the list of which we regard ourselves) must pardon us for saying that the author wearied us by this long account of what we conscientiously look on as "too trivial for the majesty of history." The polite literature of this brilliant literary age does not long arrest the attention of Mr. Macaulay. A few pages of pithy, forcible review make up all that we hear of it, while science and physics are alluded to only with distant reverence. Both are themes eminently worthy of the historian's atten-

tion, but our author had treated of them too fully elsewhere to patiently pause and go minutely over old ground.

The change in the character and spirit of literature at this period is mainly to be ascribed to those essential differences which marked the seventeenth century from the preceding. With the substitution of living for the dead languages, new tastes had been introduced and were grown popular. The sixteenth century teemed with scholars of profound erudition; but, in the latter part of the seventeenth, the new philosophy began to obtain. As the great writer from whom we derive these reflections remarks, "men were less learned, but more able;" more subtle understanding and more exquisite discernment had been diffused through the republic of letters. At the era of the Restoration every species of taste had grown more sprightly, and from this the literature of that period took tone and character. Literary ambition and interest were then mainly absorbed in the drama, and to this department the change in taste had also penetrated. In France the racy and brilliant productions of Molière and Regnard had supplanted those of the grave Corneille, and more exquisite and refined Racine. In England, as was quite natural at such a time, the austere and proscriptive antipathy which had banished all sources of amusement during the reign of the saints, broke up effectually the continuity of those works of elder dramatists which had given tone before to sentiment, and made way, after the Restoration, for a lighter, more frivolous, and more meretricious species of dramatic entertainment. One extreme in any department of policy adopted by one party, is sure to lead to the adoption of the opposite extreme by another party, in retaliation, if from no other higher motive. Such was the case in

this instance, and it was under this new order of things that the genius of a Congreve, a Dryden, an Etherege, and a Wycherley, rose to the culminating point, and attained to such enviable ascendancy. To the more entertaining and lively peculiarities of style in these writers over the old school, was added another attraction which lent superior lustre and fascination to dramatic amusements. This was the introduction on the stage of female performers, who had never been admitted under the ancient *régime*. To this bold but adroit innovation on established custom, the theatre-loving world is indebted for its long subsequent acquaintance with the brilliant histrionic talents and accomplishments of Mrs. Siddons and Miss O'Neil. In view of the many attractions of this fruitful theme, and of our admiration of Mr. Macaulay as a writer, we have sincerely wished that he had chosen to retrench other portions of the chapter before us, and dwelt more at length on its description. The few pages, however, which he devotes to its consideration are captivating beyond all parallel. We only regret that we cannot transcribe largely for the benefit of readers who have not met with the history, if, indeed, there be such. We may add that these few pages form the only oasis in the whole barren waste of this chapter, in point, at least, of true historical interest.

To quote, then, the full language of Junius—we now “turn with pleasure from this barren waste, where no verdure quickens,” and where no interest fastens, and open at a page which more than compensates for all of dryness that may have been encountered in the preceding chapter, and which kindles at once to the most intense and vivid pitch. We glide lingeringly over the successive paragraphs, and almost sigh when the brilliant though melancholy scene is closed. It will

be understood, of course, by those who have read this book, that we allude to the author's graphic and succinct account of the dying hours of King Charles the Second. All the personages of the mournful drama, all the scenes and their singular changes, appear at once before the eye, traced and drawn out with remarkable clearness and power. Barbara and Louise, and Hortensia, the queenly and voluptuous Duchess of Mazarin, niece of the great Cardinal, were all there, radiant with robes and gems, lustrous in all the glories of matchless personal charms. We see the timid, mild-mannered queen, abashed before the superior beauties of the king's frail sultanas, venturing nervously to the bedside of her distressed husband, fearful, even in that awful extremity, of indifference and repulse. There, too, for the first time distinctly, we behold the grim lineaments of the stern James, striving with bastards and prostitutes in kindly attentions to his departing brother. Then comes the trials and struggles of Charles with the Protestant clergymen—their efforts to console and absolve—his strange apathy and indifference. At length the solemn hour approaches, the secret has been unravelled by the devoted Louise; and, by that secret staircase which has so often been used by Chiffinch to introduce frail damsels to his master's bedchamber, a priest of the Roman Catholic Church is ushered into the room. Then the dying monarch raises himself from his pillow, receives meekly the last solemn sacrament, and preserving to the last that "exquisite urbanity so often found potent to charm away the resentments of a justly incensed nation," thanks his attendants for their attentions and kindnesses, apologizes for the length of time he had been dying, and then resigning himself to the stroke, passes away without a struggle.



This is the mere abstract of pages which might furnish to a poet ample material for a tragic drama. No scene was ever more splendidly or graphically described; no living moving scene was ever more clearly realized, or ever afforded more intense and absorbing delight. Innovation, bold and broad though it be, upon the conventional, established form of writing history, to introduce so lengthy and minute a picture of a monarch's death-bed, we yet cannot be so untasteful as to find fault with that which has afforded us such exquisite enjoyment.

Immediately on the heels of this follows the account of the proclamation of James the Second as King, and then comes that hollow-hearted speech to the Council, so profuse in satisfactory promises which were afterwards so shamelessly falsified. From this point the thread of legitimate historical narrative is taken up and pursued, with very few exceptions, to the end of the volume, with unexceptionable tenacity. With the odious retaliatory measures of religious persecution which disgraced the reign of this cold-blooded monarch; the tortures of the perjurer Oates; the cruel treatment of the Scotch Covenanters; the contumelious secret negotiations with France; and the assiduously pursued, crafty, mad-minded effort to crush the Established Church, in order to restore the supremacy of that of Rome, we have little or nothing to do in following up the object of these remarks. The chapter contains much of biographical delineation. Sir George Jeffreys and the brutal qualities of character and disposition so witheringly attributed to him, fill the reader with sensations of unmitigated disgust and loathing; while John Churchill, the future illustrious Duke of Marlborough, is described in that characteristic manner which, as we have before said, leaves us in doubt whether to

abhor or to admire a man who filled the world with his fame. The account of his early life really inspires contempt, and causes a regretful and unpleasing train of emotions when we connect the same with earlier and more grateful impressions of the victor of Blenheim and Ramillies, the proud conqueror of Villars and a brilliant array of brother marshals; the Captain-general of a coalition which embodied such commanders as Eugene and Peterborough. We give Mr. Macaulay full credit for candor and accuracy, but we cannot thank him, in view of these agreeable associations, for spoiling, with a dash of his cutting propensity, so interesting and exciting a connection of historical inquiry. There is something unmeasurably disgusting—especially, as we should think, to a proud Englishman—when we connect the hero of such mighty battle-fields, the active agent of so mighty a coalition, with the mean, low-minded, despicable, and petty miser and sharper of the history; with the kept minion of Barbara Palmer, Duchess of Cleveland, from whose adulterous bed he was once forced ignominiously to fly at the king's sudden approach, or with the cringing recipient of a heavy purse of guineas from the haughty paramour, for having accomplished, so successfully, a feat at once so witheringly ridiculous and full of hazard. We should as little feel obliged to an American historian who, in giving the account of Washington's early manhood, should choose to represent the Father of his Country in the midst of his slave quarters, engaged in flogging a refractory negro tied naked to the stake. Such scenes in connection with the world's venerated heroes should never find a place in history, which, we are told, is philosophy teaching by example. We can tolerate, in such a memoir as that of the Duchess of Abrantes, the story of Napoleon, as "Puss in boots," quarreling with pert

young girls, and of his playing, while Chief Consul, at childish games of leap-frog and prisoner's base, during his recreations at Malmaison. But how would such a page as this appear in Thiers' History of the Consulate and Empire, where this same man is shown to us as the stern arbiter of the Duke d'Enghein's fate, as the victor of Marengo and Austerlitz, and as the haughty Dictator of prostrate kingdoms and empires? As little did we expect to derive from the volumes before us impressions of contempt for the character of the greatest Commander ever born in England, and the loftiest ornament of her history. As Mr. Macaulay is the first, so we trust he will be the last of historians who seek to combine with the gravity and decorum of legitimate history gossiping memoir and scandalous anecdote.

We come now to that portion of these volumes which has, doubtless, startled all American readers. In tracing the character of William Penn, the venerated Patriarch of one of our greatest States, our author has opened a chapter of his life which we confess is new to us, and, we imagine, to a great many others who have preceded and may succeed us in reading this work. It is somewhat to be wondered at, that a man whose shining virtues and spotless benevolence of character have won for him heretofore the admiration and eulogium of historians, and whose name has been handed down through generations, even, of wild, untaught savages as the choicest model of his kind, should come in for so immoderate a share of our author's keen sarcasm and pungent exacerbation. Even Voltaire, the most critical and supercilious of modern authors, and not famous for universal leniency and tolerance, yet ascribes to this good man qualities of heart and of character that alone would have made him immortal.—(*Dict. Phil., Art. Quakers.*) Yet Mr. Macaulay would

have his readers to believe that William Penn would have been delighted to take air passage from London to Paris to have witnessed the tortures of Damiens. He would have them believe that he was miserly and extortionate, cringing, time-serving, and hard-hearted, to an extent that begets abhorrence. Penn, again, belongs to that class of persons alluded to some pages back, whom Mr. Macaulay first exalts, then abases; praises in one breath, in the next damns; and then leaves his readers to doubt and to condemn. This propensity reminds us of an anecdote, familiar in Mississippi, of a certain juror, who was called on to try an issue between two suitors as to the right of property in a calf. The plaintiff's lawyer states his case, and our juror at once conceives a verdict in his favor. The defendant's lawyer next explains the nature of his claim, and our juror yields his first impressions. Finally, the Judge sums up the testimony, and expounds the law, and, in this charge, so mixes up the points in dispute, that our juror finds himself completely riddled, and protests that he cannot say who *does* own the calf. But—asking the pardon of our author's admirers for this liberty—we must introduce one or two extracts from the work to convey these impressions the more properly, and to exemplify the justice of these remarks. After devoting nearly an entire column to the praises of William Penn, our author (*p.* 471, *vol.* 1) says: "his enthusiasm for one great principle sometimes impelled him to violate other great principles which he ought to have held sacred. Nor was his integrity altogether proof against the temptations to which it was exposed, in that splendid and polite, but deeply corrupted society, with which he now mingled. The whole Court was in a ferment with intrigues of gallantry, and intrigues of ambition. The integrity of Penn had stood



firm against obloquy and persecutions ; but now, attacked by royal smiles, by female blandishments, by the insinuating eloquence and delicate flattery of veteran diplomatists and courtiers, his resolution began to give way. It would be well if he had been guilty of nothing worse than such compliances with the fashions of the world. Unhappily it cannot be concealed that he bore a chief part in some transactions, condemned, not merely by the rigid code of the society to which he belonged, but by the general sense of all honest men."

Now, these involve a charge of the deepest corruption, sensuality, and hypocrisy. The courtier Penn, intriguing with frail, pretty women, seduced from honesty by flattery, easily cajoled and easily bribed, and the grave, benevolent-hearted, scrupulous patriarch Penn, treating with, and winning the confidence of rude sons of the wilderness, ruling a colony by the law of justice and morality alone, and then spurning to obtain royal favor by abjuring the customs of his society, are two dissimilar characters which we cannot reconcile. The one is despicable, the other venerable. We do not mean at all to impeach the authority of Mr. Macaulay, but we must see the proofs before we can be brought to believe in their identity of person. In this we are fortified and sustained both by the general voice of history and the solemn denial of Mr. Penn himself, when charged as guilty by his enemies of the court. The mere fact that such charges were made in Penn's lifetime cannot be taken as proof of their truth. Any man who occupies an envied position is liable to be vitally impugned by his contemporaries. The charge of "bargain and intrigue" to obtain the office of Secretary of State under John Quincy Adams, has been levelled by unscrupulous enemies against Henry

Clay for more than a quarter of a century; yet no decent historian would venture to allude to it otherwise than in the stern language of reprobation. Even Walter Scott suffered in public opinion when it was found that, in his life of Napoleon, he had condescended to dignify with historical notice petty scandals against his illustrious subject. We will hazard the assertion that proofs just as strong going to show that Henry Clay was basely bribed, that Napoleon caused Pichegru and Captain Wright to be strangled in prison, and that he whispered proposals of incest in the ear of the Princess Borghese, (both of which are alluded to by Sir Walter Scott, though qualified with the expression of his disbelief in their truth,) can be brought up by active, low-minded enemies, as any that can be arrayed to show that Penn intrigued with the court beauties of James the Second, and was bribed through his "vanity," as Mr. Macaulay intimates, to abet foul corruptions repulsive to "the general sense of all honest men." Yet no one ever candidly believed the first, every body rejects the second; and we may safely add that no historian has ever before taken such pains to prove up the third.

During the reign of terror and bloody assizes under James the Second, a company of young girls who had borne a banner in honor of Monmouth's entry into Taunton, were suddenly arraigned and imprisoned, at the instigation of the queen's maids of honor, in order to wring heavy sums in their ransom from the pockets of wealthy parents and friends. The maids made several attempts to engage gentlemen to undertake this task of unworthy extortion, but met with indignant rebuffs and scornful answers. At length they applied to William Penn. "Penn," says Mr. Macaulay, "accepted the commission;" and then the author adds,

significantly, "yet it should seem that a little of the pertinacious scrupulosity which he had often shown about taking off his hat would not have been altogether out of place on this occasion."—(*p.* 607.) The sarcastic tone of this sentence cannot be misunderstood, and betrays sufficient evidence of biassed judgment to induce us to take Mr. Macaulay's character of Penn with many qualifications and allowances. The invidious—at least unnecessary—allusion, in another place, to the fact that Penn rode post haste from Tyburn, where he had just seen a man kick his life away under the gibbet, in order that he might not miss the show of seeing a woman burned in London, strengthens our impressions in this particular. Now we infer from the general character of Penn, that a high and noble humanity of sentiment prompted him to both these acts—so liable to be used as the means of blackening his fame. Never before having met with either in any defined form, (never with the last,) we cannot venture to contradict or defend further. Mr. Macaulay himself thinks that this was the "probable" motive of Penn on both these occasions. If we thought for a moment that such was not *certain*, our veneration for the name and memory of Penn would be speedily turned into a feeling of unmitigated abhorrence and detestation.

The first volume of this history closes amidst scenes of melancholy and blood, appalling and sickening to an extreme that inspires disrelish for perusal. The awful scene of Monmouth's execution; the bloody assizes; the hanging, drawing, quartering, and transportation of the hapless victims of revenge: rotting skulls grinning at every cross-road; the noisome atmosphere; harrowing scenes of domestic affliction and suffering—all told in the peculiar graphic and forcible style of this

author, make up a total of disgusting facts unparalleled in the world's history, and which haunt one's reflections for days after reading of them.

We shall not extend these remarks to the second volume, at this time ; our only remaining task is, therefore, to condense and sum up our impressions of the general tone and character of the first.

Upon the whole, then, we are inclined to regard this work more as a terse, well-digested, and brilliant essay on the history of England, than what it purports to be—a history proper of England. It is altogether a new visitor to the circles of the literary world, both as to manner and method of telling history, and, in this sense, has attracted, as was naturally to be expected, unparalleled admiration. But like all preternaturally bright bodies in another sphere of attraction, it partakes more of the meteoric than of the fixed or intransitive nature, and, we are inclined to believe, will be pronounced in the end rather splendid miscellany than unadulterated history. But it has served its purpose. Mr. Macaulay has allured many to a branch of reading which has generally been considered forbidding and uninviting, and his brilliant, captivating style has induced and held many to a task who might have been repelled by the austere gravity of Hallam, or the pithy sententiousness and severe condensation of Hume. He has smothered the harsh frown and wrinkled brow of English history, and wreathed her face with winning smiles, and in this has achieved a pleasing revolution in the taste and character of the literary world. Whilst, therefore, he may not inspire the distant, reverential awe associated with Hallam or Robertson, his pages will always be opened with that agreeable anticipation of healthy and rational entertainment which possesses a reader of *Kenilworth* or *Ivanhoe*. Nor do we consider



such comparison with these last wonderful productions at all disparaging to the claims of this history. Sir Walter Scott has, it is true, created many of his grandest scenes, and clothed them with a garb and face of startling reality. Mr. Macaulay has thrown around real and authenticated scenes of history all the dazzling attractions of fanciful conception. This peculiarity constitutes the principal charm of his history—a peculiarity and novelty of feature that must ever secure to it, independent of glaring innovations and bold episodings, a welcome place in all private libraries. It bears no resemblance to the historical works of the authors we have named. To compare Mr. Macaulay's history to that of any of these, would be like comparing a luminous mezzotint, or rich, variegated enamel, to the more grand, but at the same time more subdued, paintings of Rubens or Corregio.

When it was made known to the world that Daguerre had published his celebrated discovery—that a process had been invented by means of which lifelike representations of person and of landscape could be taken by the agency of light only, reflected through the camera obscura, that the images thus produced were so clearly expressed that silk might be distinguished from satin, and marble from plaster, every body predicted that the easel and the brush would be abolished, and that the art of painting would be effectually superseded by this more speedy and wonderful method. And for a time it seemed that this prediction would be verified. Painters looked sad, and began to throw aside canvas and pallet, and to purchase cameras and copper plates. Curiosity ran wild. Old pictures and family portraits became objects of jest and ridicule, and for a moment the splendid galleries of Florence and of Rome were forgotten and neglected. But it was only

for a moment that the daguerreian process held this supremacy. While all yet admire the genius of the discoverer and the strange and novel splendors of the discovery, while the magic operation still continues to dazzle and to puzzle beholders, it is yet evident that it is placed subordinate to the grander and more enduring achievements of the pencil. In making the application of this apologue (if we may thus speak), we mean only to express our convictions that historical works of this class and description, brilliant though they may be, and sparklingly as they may be welcomed, will be consigned to a like subordinate station when compared with the labors of the elder and greater race of historians. We do not even mean to say it is our belief that Mr. Macaulay will meet this fate. There are many reasons to believe that he will not. His vast genius, his profound learning, his literary accomplishments, the fame with which he has filled the two hemispheres as a miscellaneous writer and reviewer, added to the fact that he is the author as well as leader of this style of writing history, may, and most probably will, effectually preserve him from the fate of less gifted or less fortunate imitators and successors.

But it is time these remarks should be brought to a close. We shall reserve much that we had intended to say, in this connection, for some future continuation of a task which was undertaken less to criticise, than to endeavor to show that even the greatest writers, when moving in a sphere of authorship different from that in which we have been most accustomed and delighted to hold converse with them, are very apt sometimes to disappoint high expectations.

## WILLIS'S POEMS.\*

THIS book is certainly a literary curiosity—not because of its superior merits or rare composition, but because of its singular popularity and success, when we compare these with its absolute unworthiness. Mr. Willis himself has long been eminent among a certain class of American literateurs, and his writings have generally been puffed into a sicklied notice through their influence; added to the efforts of a whole legion of venal journalists, whose inferior talents, wholly disproportioned to their ambition, find always a most agreeable task in coming to the rescue of poems emanating from their cherished model, and whose life and occupation consist in playing an eternal and endless game of “Tommy, come tickle me;” that thus, by a method of amiable collusion, they may hoist their confederates and themselves into an ephemeral notoriety.

Now, as we, in common with all true friends to genuine American literature, have a thorough contempt for this species of writers and literary representatives—though these are not the most objectionable class—and sincerely regard them as obstructions to all healthful de-

\* The Poems, Sacred, Passionate, and Humorous, of Nathaniel Parker Willis. Complete edition, revised and enlarged. New York: Clark, Austin & Co. 1850.

velopment of a pure national literature, we have a mind to express our opinions quite freely and candidly in connection with Mr. Willis's book. But we desire it to be distinctly understood that no personal antipathies, as concerns our author, prompt us to the task. We have no acquaintance, personally, with Mr. Willis. We never met him or saw him, to our knowledge, and we know nothing unfavorable to his character or reputation; for if we did, we should be very far from entering into a review of his poems, which, we fear, may justly be considered harsh and condemnatory. If we had any personal spleen to vent, we should seek a more manly course of satisfaction; while we should regard a goose-quill ebullition of wrath as contemptible and ridiculous—indeed, dishonorable. We are thus particular, because we have an especial object in view while we go through with our task of criticism, which object mainly is to expose the unworthiness of Mr. Willis and his coterie to represent American literature, and, at the same time, to unfold some of the causes which make us, in a literary sense, the slaves of English writers, and the mere tools of Anglo-American publishers. We shall address our efforts, in an especial manner, to this latter class, for we believe that they are justly answerable for the ascendancy of that herd of venal pretenders to literary excellence, whose daily flip-flap from job presses not only discourage meritorious and independent competitors, but have created such disgust for home literature as to divert the interest of our truly tasteful and literary people across the waters, and to sicken them at the sight of an American work. Their selfish and unpatriotic conduct is manifested daily. Not content with flooding our country with mutilated and spurious English books, we are favored by these enterprising gentlemen with reprints of foreign magazines and re-



views, to the serious and ruinous disparagement of our American works of that description. They go even farther. Their bloated fortunes are sparsely lavished on English and French writers, who, unprotected against American book pirates, and debarred from all pecuniary profits in this country, are willing to write for pennies, rather than lose all. A monthly magazine may thus be gotten up by influential and wealthy houses, which will overmatch American productions, as well in quantity as quality of matter. American writers and journalists are generally too poor to write and work for nothing, which they must do if they would enter into competition with Anglo-American writers and Anglo-American publishers. The absence of an international copyright law cuts off British writers in America, and, *vice versa*, cuts off American writers from all profits in Great Britain. Hence, a large publishing house, like that of the Harpers, wealthy, influential, and anti-American in feeling as concerns literary development and encouragement, may easily swell their enormous gains by pampering British writers who are legally debarred from copyright in this country, and who, poorly paid at home, pleasantly condescend to pick up pennies from foreign bidders; while an American-hearted publisher, devoted to the culture of home literature, and forced to pay high for good writers, is crowded out of the market.

It is not difficult to perceive the drift and intent of these prefatory discursive remarks. We mean to be understood as endeavoring to demonstrate, that we, Americans, owe all our literary discouragements to Anglo-American publishers. An American journal or review, high-toned and able in character, is necessarily very expensive, because its contributors must, in general, be well paid. But an Anglo-American publisher,

who refuses high-toned American productions, which are protected by law, and casts his bait for British writers who have no copyright privileges in our midst, is at no expense save that of his paper and type. The last can afford to undersell the first, and, of course, obtains precedence with the public. American readers are far more familiar with British novelists, poets, essayists, and historians, than with those of the United States. Thus is America made the slave of England, literarily, not for want of equal talent on the part of her writers, but from the selfish policy of large and influential publishers. An American journalist is underbid by literary poachers on British disabilities. The American writer offers his work to an Anglo-American publisher, only to be told that a British work of equal merit can be thrown before the public free of all original cost. Hence American literature is almost in the dust; and when Irving, Cooper, Prescott, and some few other master souls shall have passed away, it is greatly to be feared that genuine American literature will be without a worthy representative.

Such are some of the hapless causes from which has sprung the sickly ascendancy of such poetry as that of Mr. Willis, and his numerous *confrères*. America is without a poet, or a poetical prestige. Here, in our opinion, is the reason. We have no Byron, no Moore, no Walter Scott. The minds, if any such have ever been born in our midst, which felt a consciousness, perhaps, of inspiration akin to theirs, have shrunk from competition with mere handicraft pretenders, or else have been deterred by repulsive and avaricious publishers. But we have Mr. Willis, and, as the Coryphæus of his venal band, it is with Mr. Willis we intend to deal. He has habitually assumed to himself, for a long series of years, a species of supremacy in the second-

rate literary circle, which makes him pre-eminently fit, and proper, and legitimate game for our present undertaking. The lofty and self-important tone which distinguishes, even yet, his weekly editorial bulletins, impresses, and is doubtless designed to impress, all readers with an idea of his *judicial* supereminence in literary affairs. Nor have we the least fault to find with this. On the contrary, we award to Mr. Willis a high and enviable degree of moral courage in playing his game; for it must be confessed, in view of his slender materials, that he plays his game with remarkable address. It is not every day that we find a man who has the courage to put forth and father such a production as Mr. Willis's "Sacred Poems," and yet complacently and serenely supererogate weekly patronage to all other American poets and writers.

Nobody will doubt, we imagine, but that Mr. Willis has acquired his poetical notoriety by means of a systematic and well-directed course of magazine and newspaper puffing; for no sane person, we are persuaded, can read his poetry, and trace the same to any merits he possesses in that line. We know that puffers can do much. We know that authors, when placed in certain situations, can do more still, to emblazon their works, and *snap* public opinion, or rather public notoriety. But we confess that, to our judgment, neither puffers *per se*, nor puffed authors *par excellence*, ever accomplished a more dexterous or unaccountable achievement than when they succeeded in puffing Mr. N. Parker Willis into existence as a poet. It is no inconsiderable source of amusement, we may remark *en passant*, to sit apart and watch the trickery of now-a-day authors, especially poetical authors, to create for themselves a salable notoriety. The method is complete, and may lay claim to quite a venerable antiquity. The

proprietor of a magazine projects a creditable scheme to disseminate agreeable light reading, mingling with the same fashion plates, fancy engravings, and much learned talk about tournures and trousseaux. He enlists one or two really talented and able writers, and a dozen or two second and third-rate writers. The first require too high pay to fill up an entire number with their writings. Therefore, the last are called in to fill up the intervals; serving the first pretty much in the same capacity as common actors, in a stock company, serve the "star" actor. By-and-by the best of the commoners is selected for a *puff* offering; and then the clangor of editorial clarions begins: "Wonderful genius developed," "unrivalled début," "Tom Moore surpassed," "Walter Scott equalled," "Byron matched," and many other rare and rich specimens of genuine *blarney* are blazoned on the covers, and new contributions announced from the pen of some "newly-discovered, fast-rising, and world-eclipsing poet." The whole pack of venal pennymen open on the scent, and weeks and months are consumed in crying up a *literary* synonym of "Jarley's wax works," or Barnum's "Chinese lady." In the mean while, the readers of the magazine are all agape with astonishment at their protracted obtuseness as regards the merits of this amazing child of letters. They have whiled away years of intimacy with the author's writings, and yet were required to be waked up to his accomplishments. The din of trumpets is systematically prolonged; their ears are so continuously racketed with the noise of his achievements, that, at length, they read every thing bearing such a redoubtable name, and tacitly consent to have him enrolled as a standard author.

This account will not, we incline to think, be considered too overwrought or exaggeratory to those who



are familiar with the reading of the various literary newspapers and magazines of our northern cities. At all events, we think we may safely say that the "Sacred Poems" of our author are mainly indebted to this species of collusive heraldry for their singular notoriety. And to increase the chances of their being shelved as standard specimens of American poetry, Mr. Willis has thought proper, we suppose, to bring them out at this time, in connection with other poems, prefaced with a serene-tempered, somewhat self-gratulatory introduction, and quite a pretty picture of himself in one of his most sentimental attitudes.

Whatever may be our opinions, we are, however, constrained to criticise Mr. Willis as a poet. Magazine publishers and newspaper editors chronicle his comings and his goings, his sayings and his writings, his adventures and his onslaughts, as those of "the poet." He himself tells us that he "has *no* hesitation in acknowledging the *pedestal* on which public favor has placed him." We are forced, therefore, to regard such high authority; and as he looms forth to the public eye, self-sculptured and architruved, we should be wanting in respect to "public favor," not to recognize his claims to the name of poet.

We expect to confine this article mainly to a notice of the "Sacred Poems," as these, we believe, are generally supposed to form the principal cornice of that "pedestal" to which our author refers. We must begin by saying that they are, to our judgment, very tame and unsuccessful transpositions of beautiful Scriptural incidents. That which is intended for poetical amplification and illumining, pales and flickers beside the unpretending but impressive diction of the sacred writers. Indeed, in the progress of their perusal, we meet oftentimes, as we shall presently demonstrate,

with really pitiful and sickly attempts to retouch and embellish what has been far better told in the original, thousands of years ago, when languages had scarcely assumed definite form. They abound with expressions which are not only shamefully unpoetical, but are un-euphonious, ungraceful, and improper; while they are most untastefully repeated, as applied to the different characters, and for lack of originality of thought, in nearly every poem of the series.

We cite, as an instance of this striking want of true taste in the choice of expression, the following lines from the poem of "Jairus's Daughter:—"

"The old man sunk  
Upon his knees, and in the drapery  
Of the rich curtains *buried up his face.*"

Also the following from the poem of "The Leper:—"

"And in the folds  
Of the coarse sackcloth *shrouding up his face.*"

Again, in the "Sacrifice of Abraham," we are favored with the same expression as the first, as follows:

"And Abraham on Moriah bow'd himself,  
And *buried up his face,*" &c.

In the poem on "Absalom," David is reduced to the same grievous necessity as Jairus and Abraham, but the expression is slightly varied for the better, thus:

"He *cover'd up his face,* and bow'd himself," &c.

"We next find "Hagar" seeking like consolation as her predecessors in the volume:

"And, *shrouding up her face,* she went away," &c.

The last example to which we shall refer in corroboration of our alleged fault against "the poet," is found

in the poem of "Lazarus and Mary," where the latter, seemingly in a sort of mesmeric communication with Hagar, David & Co., resorts to the very same expedient while grieving:

"She cover'd up her face, and turn'd again  
To wait within for Jesus."

Now, we contend that the term "buried up," or "shrouded up," is not only an unpoetical and ungraceful, but a manifestly incorrect term, besides being harsh and discordant; not to mention the fact that the expression is used six or eight times in short, succeeding poems, comprising in all only some fifty-eight pages. We had better say bury *down* than "bury *up*," for the first is more likely; but the phrase, either way, is clearly unchaste—especially when, seeking to glide softly through the melodious flow of blank verse, we chance suddenly to stumble against its roughness. Indeed, we must say that Mr. Willis pays quite a poor compliment to the taste of his readers when he supposes that they will charitably endure such continuous and ugly repetitions, in the absence of all excuse for such, unless he shall plead, in extenuation, a want of originality, or an over-desire to obtain those "present gains" which, in his preface, he very frankly tells us, were more his object than was any "design upon the future." We might, probably, account for the uncouthness of expression more easily. In truth, we feel greatly inclined to attribute the same less to a want of proper discriminative powers, than to the feeling of arrogant confidence which easily prompts to immoderate self-indulgence and unallowable liberties, those persons who are under the influence of that intoxication which is engendered by incautious admiration of themselves.

But more than all, we must seriously object to the

justness of that popular award which seems to have greeted these poems, because of their unpleasing, spiritless sameness and resemblance. They are alike in thought, in character, in description, and in language, nearly; and if the names were not different, and the scenes slightly shifted, we might unconsciously mistake Jairus for David, and Abraham for Jephthah; as also the Shunamite mother for the widow of Nain, Hagar for Rizpah, and Absalom on his bier, for Lazarus as he lay shrouded for the grave. There is a grating continuity of all the essential features and groundwork which form each separate poem throughout the entire series; and, even if they possessed intrinsic merits, all interest in them would be marred and spoiled by so inexcusable a blemish. We turn over leaf after leaf without finding that relief which is so necessary when engaged in reading poetry; that variety of thought and description which constitutes the secret of true poetical composition, and without which, as they well know, the best of poets become soon insupportably tiresome. The genius of Spenser and of Ariosto is universally admired and admitted; yet no one wades through the Faerie Queene or the Orlando Furioso, without wearying sadly under the weighty and monotonous versification. We do not, by any means, intend to compare Mr. Willis or his "Sacred Poems" to these fathers of poetry and their hallowed *chefs d'œuvre*; we mean only to say that he has fallen into their only error—and that, not because he intended to do so on the ground of allowable precedent, but because, although poet-born as he seems to think, he has failed to learn one of the very first elements of the *ars poetica*. Our private opinion is, to say truth, that these awkward and uncomely transpositions of Scripture were squirmed forth by their author just as the blank pages of Mr. Godey's "Book" required,



or as Mr. Godey's purse could afford, monthly offerings to the pile of those "present gains." Their arrangement and composition do not indicate or foreshadow that slumbering genius which, after long years have passed, can now inspire its possessor with such exultant confidence as to herald the publication of his early-day poems with an assurance to his readers that the "ripeness of *poetical* feeling and perception are all *before* him." The series forms a perfect family, in which the resemblance between the various members is so great as to strike the most casual observer. Each succeeding poem is but a transfiguration of its predecessor; and the shade of difference is so slight as to be almost imperceptible, excepting, as we have said, as to locality and name.

Sir Walter Scott, in his book on Demonology and Witchcraft, if we may pursue farther this course of remark, tells us of a young London gentleman who, from extreme nervous disarrangement, was seriously annoyed by a troupe of phantoms which appeared to his vision nightly at a certain hour. He found it necessary to call the advice of a medical gentleman. After examining the state of his patient, the physician advised a removal to his country seat. The change of scene effected wonders. The patient thanked his physician, determined on settling permanently in the country, broke up his house in town, and brought his furniture to the villa. But this, alas! proved to be a fatal move. The sight of the familiar furniture revived the unhealthy associations of his malady, and he had scarcely retired to bed before the whole company of dancing spectres reappeared with an expression of countenance that seemed to say to him, "Here we all are again! Here we all are again!"

Now this anecdote we take to be aptly illustrative

of the character and style of Mr. Willis's series of Sacred Poems. We read the first and second, and then, for a rest, lay the book aside. In a short time we take the notion to resume. We naturally look for some novelty and refreshment. But, lo! the third is but the first and second, dignified with a change only of incident and name; the same thoughts, the same conceptions, the same descriptive outlines, except, perhaps, that one transpires at day-dawn, another at noontide, and the third at twilight or late evening. With the precision of a musical box, which is wound up at intervals that it may play over the same tunes again and again, we find Mr. Willis, in nearly every successive poem of his sacred series, true to his familiar portraits of a distressed father, an anguished and doting mother, an interesting corpse, and a ministering spirit; varied only as the scenes are made severally to occur by sunlight, or starlight, or moonlight.

But there are, in these poems, other and more serious blemishes than those of repetition and sameness, merely. The diction is oftentimes imperfect, and sometimes quite obscure. For instance, in the opening lines of the poem of *Jairus's Daughter*, we have the following lines:

“The *shadow* of a leaf lay on her lips,  
And as *it* stirred with the awakening wind,” &c.

Here is a palpable impropriety. The pronoun *it* must refer to the noun nominative, or the sentence is without meaning; and if it be intended thus, the idea is nonsensical, for we are at a loss how to imagine that “the awakening wind” can *stir* the *shadow* of a leaf; and yet *shadow* is the relative of *it*, as *leaf* is in the objective case. We have heard of “airy tongues that syllable men’s names,” where the scene supposed is mingled

with something unnatural or superstitious; but, in a plain, matter-of-fact case, taken, too, from Holy Scripture, we have never before observed where *shadow* is so complacently made substance. Nor are we at all satisfied, as a reader of poetry, or of what is meant for poetry, with the figure of speech to which Mr. Willis here resorts to bring forth his idea. There is something strained in the idea of casting the *shadow* of a leaf on a dying girl's *lips*. Her bosom, her cheek, her forehead—any of the three could more properly have been used than *lips*. The whole sentence is mawkish and ungainly, even though it had been properly constructed.

A few lines further, speaking of Jairus as he "*buried up* his face" in the drapery of curtains, he thus goes on:

"And when the twilight fell, *the silken folds*  
*Stirr'd with his prayer*, but the slight hand he held  
 Had ceased its pressure; and he could not hear,  
 In the dead, utter silence, *that a breath*  
*Came through her nostrils*; and her temples gave  
 To his nice touch no pulse; and at her mouth  
 He held the lightest curl that on her neck  
 Lay with a mocking beauty," &c.

Here we have again a most obscure and incorrect phrase, inasmuch that one cannot easily imagine how silent *prayer* can possibly *stir* "*silken folds*." There is, moreover, an ungraceful abundance of anatomical delineation; for we have, in the few lines quoted, little else than a description, in regular succession, of *hands*, *nostrils*, *temples*, *mouth*, *neck*, &c., besides the rather odious picture of a delicate, dying young lady *breathing* through her nose.

The seven or eight opening lines of the next paragraph will do something better, and possess a moiety of prettiness:

"It was night;

And softly, o'er the sea of Galilee,

Danced the breeze-ridden ripples to the shore,  
 Tipp'd with the silver sparkles of the moon,  
 The breaking waves played low upon the beach  
 Their constant music, but the air beside  
 Was still as starlight, and the Saviour's voice,  
 In its rich cadences unearthly sweet,  
 Seem'd like some just-born harmony in the air,  
 Waked by the power of wisdom."

But, after much tame and badly-conceived description, we find in the closing paragraph a repetition of the author's anatomical peculiarities, in a long and fulsome jeremiad about "transparent hands" and "tapering nails;" "nostrils spiritually thin" and "breathing curve;" "tinted skin" and "azure veins;" "jet lash" and "pencil'd brow;" "hair unbound," "small, round ears," "polish'd neck," and "snowy fingers." Each noun is regularly mated with an adjective, two, three, or more, as the length of the line may admit, or as the author's invention may quicken. In the midst of this poetasting dissection the first of the series closes, abruptly.

The second is taken from the Scripture account of a person whom Christ cured of the leprosy as he was passing on to Capernaum. The incident is narrated by St. Matthew in the eighth chapter, second, third, and fourth verses of his Gospel, thus :

2. "And behold, there came a leper and worshipped him, saying, Lord, if thou wilt, thou canst make me clean.

3. "And Jesus put forth his hand, and touched him, saying, I will: be thou clean. And immediately his leprosy was cleansed.

4. "And Jesus saith unto him, See thou tell no man; but go thy way, show thyself to the priest, and offer the gift that Moses commanded, for a testimony unto them."

The manner and style of this pithy narration are exceedingly chaste and impressive; with a melody and simplicity of diction, at the same time, that fall agreea-



bly on the ear, and are evincive of much closer alliance with true metrical harmony, than is the pompous and elaborated poem of which we are speaking. But Mr. Willis has chosen to misconceive the spirit, and to misinterpret the facts of the incident—both, too, to the disparagement of the gospel version. He sets out with a warning flourish of trumpets, and an array of notes of exclamation truly appalling, and which are wholly at war with the mild and unpretending features of the real incident. The Bible scene is eminently characteristic of all that was lovely in the Saviour's earthly ministrations and associations. The portrayal made by Mr. Willis in his poem is unstriking, and very badly conceived in every respect; while its execution is so flat and commonplace as to excite a feeling of amazement that the author should ever have been reckoned, or should presume to reckon himself, a poet. There is, besides, an ungraceful perversion of one of the not least impressive facts, which robs the story of its principal charm. Jesus, after healing the suppliant leper, bids him "tell no man," but to go and "show himself to the priest," and offer the gift as commanded by Moses. Mr. Willis, on the other hand, and with most unaccountable want of artistic taste, chooses to send his leper to the priest in the first instance, and that not to offer "the gift" as "testimony," but to solicit a cure, or rather to hear an official affirmation of the "doom" which he was already expiating. Now we can imagine something peculiarly interesting, as well as suggestive, in connection with Matthew's story,—of how the poor crushed victim of a loathsome disease might fall at the Saviour's feet, and implore that compassion which he had heard was never solicited in vain; and, being healed, should *then* go to the soul-hardened priest, and show himself, as directed, with the gift in hand. But

we are unable to perceive the beauty or force of Mr. Willis's tortuous and unnatural version, or of the wizard-like malediction which he puts into the priest's mouth. We seriously object, also, to the application and correctness of the following simile, when, speaking of Jesus, he says :

——— " Yet in his mien  
*Command* sat throned serene, and if He smiled,  
 A *kingly condescension* graced his lips,  
 The *lion* would have *crouch'd* to in his lair."

A look of *command* is always associated with pride, or with haughtiness of demeanor, or with some physiognomical development indicative of superiority. The Saviour is not thus represented ; but is always humble, meek, unpretending, and studiously unostentatious ; while *command*, in the sense intended above, is never evidenced in look or word. As for "kingly condescension," in connection with the character of this personage, the idea is as absurd as it is misapplied ; and, at the same time, we have always loved to imagine "the lion" rather as following and fawning upon so benign a being as Jesus—caressingly familiarized as in the paradisaical time—than "crouching in his lair" to an awe-inspiring and *commanding* master. We never before met with so gross and reckless an onslaught on the mildness and meekness of the Saviour.

The third poem of the series opens thus :

" 'Twas daybreak, and *the fingers of the dawn*  
*Drew* the night's curtain, and *touch'd silently*  
*The eyelids of the king.*"

We take this to be, on the whole, the worst conceived and most unstriking similitude in the world. We might very well go further, and pronounce it to be the least allowable, and certainly the least apt. We

have often known primer publishers to represent the sun with a great red rubicund face; but we have heretofore failed to find an instance where any writer, whether of the primer or poetical order, has gone so far as to picture the *dawn* with *fingers*. Mr. Willis's conceptions must be far ahead of any that his readers can claim, to imagine the remotest reality or plausibleness of this unique metaphor. How much of the horizon, we beg to ask, will Mr. Willis invest with his imaginary *fingers*? We must suppose that he had chalked out something definite and shapeful in this respect, for we can scarcely think that he refers to, or means to *finger* the whole line of "the dawn." Nor do we at all sanction the idea of "the *dawn's fingers touching silently* the eyelids of the king." It is something *outré* and unimaginable, and evinces a woful lack of that fertility of thought which is the most essential element of a genuine poetical endowment.

But a few lines further on, we meet with another figure of speech which, if less allowable, is at least equally novel and original. It occurs in the last of the lines employed to describe David's wont of a morning to

"Play with his lov'd son by the *fountain's lip*."

It would be, we incline to think, quite a difficult task to go about trying to picture such a member to such a thing. Mr. Willis is either very dull about finding similitudes, or very reckless, or else very deficient in proper discrimination as concerns figurative acumen. We know that the Mississippi river is said to possess a mouth, in geographical parlance; but a poet, unless he possessed Mr. Willis's boldness, would scarcely venture to clothe such mouth with *lips*.

On the next page our author quite coolly employs

other *fingers* than those of the *dawn* to perform their morning service—when, describing another daylight scene he says:

——— “and *they who* drew  
The *curtains* to let in the welcome light.”

This is genuine flesh and blood—no undefinable and unimaginable ethereality; and looks more like the plain common sense of every-day life. The repetition, however, indicates a scrupulous nicety and distinctness of description, which is not usual to novelists or poets. Mr. Willis has a most inveterate *penchant* to designate the very time of night his characters go to bed, the precise hour at which they get up, how they washed, how they prayed, and never fails to tell his readers that the bed *curtains* were punctually *drawn aside* by something or somebody; while the alternations of time which mark each poem vivify the illustration of name which attaches to Bulwer's novel of “Night and Morning.”

Passing over the “Sacrifice of Abraham,” we come next to an expression in the “Shunamite,” which strikes us with its absolute childishness:

“She drew refreshing water, and with thoughts  
Of God's *sweet goodness* stirring at her heart,” &c.

Nor have we the least patience with such flippant taste as we find evidenced in the closing lines of the poem, where our poet does not allow his readers even a breathing spell—but favors them only with a *starry* interval—betwixt the period of the child's lingering, “long drawn out” death, and his hocus-pocus (*à la* Willis, we mean) restoration to life by the prophet.

The poem of Jephthah's Daughter, we think, begins with entirely too much abruptness:

“She stood before her father's gorgeous tent.”



There is a sort of sneaking resemblance to the opening line of Mrs. Hemans's heroic poem, *Casabianca* :

"The boy stood on the burning deck."

Or if Mr. Willis and his admiring coterie will pardon the allusion, we may rather liken it to a smack of the fine old nursery song :

"Lord Lovell he stood at his castle gate."

We should suppose from the following, from the same poem, that Mr. Willis had no very keen relish for a woman's lips, or no very nice perceptions of their daintiness, or else, having been born and bred in northern regions, was unused to the tropical growths of the sunny South :

"Her lip was slightly parted, like the *cleft*  
Of a *pomegranate blossom*."

Now we are not at all of opinion that the term *cleft* when thus applied is an admissible expression, for we read much oftener of *clefts* in rocks than in *blossoms*. We have heard of Moses being ensconced in the cleft of a rock while God's glory passed along : we cannot imagine how Moses could seat himself in the *cleft of a blossom* ; and yet, the objects being totally dissimilar, the phrase must be incorrect in one or the other case. But we take the liberty to submit that "the *cleft* of a pomegranate blossom" is as unlike the *parting* of a woman's *lips* as it is possible to conceive ; and as the *cleft* of this blossom is by no manner of means a very graceful or luscious severance, but on the contrary rough and rugged for so gorgeous a flower, we incline to think that so exquisite a gentleman as Mr. Willis would have hesitated about the comparison if he had ever seen the petals of a pomegranate bloom.

While describing with much enthusiasm the beauty

of Jephthah's daughter, the poet winds up with the following :

" Her countenance was radiant with love ;  
She looked like one *to die for it*," &c.

After having exhausted description of the same anatomical tendencies as previously gone through with in the case of Jairus's daughter, and lavished on his young heroine every beauty of thought of imagery, we are quite too suddenly let down with the expression above italicized. *To "die for it"* is a loose, vulgar arrangement of words, amounting almost to downright indecency. We do not look for such within the pages of so neat a book, or from the pen of so courtly a litterateur, especially when that pen is engaged with such lofty and sacred subjects. We recollect to have come across such an expression in the first pages of the *Heart of Mid Lothian*, where, after the mob had broken down the door of the tolbooth, one of the number releases an imprisoned fellow-bandit, with the advice, "*Rin for it*, Ratcliffe !" Now, at such a time, in such a place, and uttered by such a person, no expression could have been more appropriate or in better taste. But as applied to so lovely and interesting a creation as Jephthah's hapless daughter, no set of words can be more harsh or unseasonable.

" Onward came  
The *leaden tramp* of thousands."

This, again, found a few lines afterward, is an incorrect and unfortunate simile. There is nothing martial or stirring in connection with *leaden* materials. Lead gives back a dull, dead sound. Nor is it possible to understand or perceive the pith and point of an expression which presupposes *leaden* shoes, as it is a metal never used for that purpose, whether for men or horses.

The last being evidently alluded to, we rather think a son of Vulcan would smile at stumbling on such an idea.

We are glad we can reconcile it to the task we have undertaken, to say that we consider the poem on Absalom quite a creditable and successful effort,—much the best of the sacred series as so far noticed. The prettiest lines and strongest description which occur in the whole series may be found, we think, in the poem of “Christ’s Entrance into Jerusalem.”

“As he reach’d  
The summit’s breezy pitch, the Saviour raised  
His calm blue eye—there stood Jerusalem !  
\* \* \* \* \* How fair she look’d—  
The silver sun on all her palaces,  
And her fair daughters ’mid the golden spires  
Tending their terrace flowers, and Kedron’s stream  
Lacing its meadows with its silver band,  
And wreathing its mist-mantle on the sky  
With the morn’s exhalations.”

The imagery here shadowed forth is inconceivably grand and magnificent, wholly beyond the bounds of the rather contracted and too tame description of Mr. Willis. Indeed, we have long thought that this most interesting Scriptural event is eminently prolific of wide and glorious themes of contemplation, and we wonder that so spiritless a writer, poetically speaking, as our author, should so boldly have ventured to versificate the simple and unadorned narrative of the sacred penmen.

We have loved, oftentimes, to imagine the incidents of that eventful morning when, seated on the picturesque summit of the Mount of Olives, the august son of Mary gazed sadly, though with the eager admiration of expanded tastes, on the glorious beauties and re-

splendent panoramic scenery which all around opened to view. And what would not his adorers of the present day have bartered to have been numbered among the little group whose wondering eyes were fixed, entranced and bewildered, on the benign and mysterious young Being whose lips were giving utterance to that gloomy prophecy which announced, in mournful strains, the approaching calamities and woes of Zion !

“ There stood Jerusalem ! ”

The early rays of the sun dispensed, perhaps, a cheerful hue over the scene, and the soft breath of the morning breeze swept gently through the groves of palm trees which waved in the valley. Just beneath, at the mountain's base, was the smiling little hamlet of Bethany, the quiet abode of the lovely sisters and their brother, with its groups of neat cottages, and modest pastoral mansions, half obscured in the vast shadows which yet enveloped them. Beyond, arose in sullen majesty the bleak and frowning mountains which overlooked the ancient city of the Canaanites, and immediately between was Jerusalem itself—with its hills, and winding walls, and wild ravines—looming in the mellow light, with those stupendous architectural monuments which had endured since the age of Solomon, and which, long centuries anterior, had fallen under the eye of the Macedonian conqueror. Rising proudly above the rest was the famous mount of Zion, the ancient Acropolis of King David, crowned with the splendid palace which had once sheltered the royal lover and his frail Bathsheba ; whose spacious harems swarmed afterwards with the thousand voluptuous houris of their amorous son, and which, even in ruin, seemed to assert its former grandeur. Opposite was the crescent-shaped mount of Acra, romantically studded with lesser eminences ; and



from whence towered the grand and gorgeous structure first consecrated to the worship of Israel's God, the gigantic dimensions of which yet startle and bewilder mankind. We may easily imagine that, as the sun's brilliant rays irradiated the glittering front, it appeared to the group on Mount Olivet as a vast mountain of dazzlingly white marble, presenting a magnificent array of domes, and pillars, and turrets, all fretted with golden pinnacles, which, touched with the resplendence of the early morn, shone with surpassing grandeur. Intervening was the broad valley of the Cheesemongers, so famed in Bible story, and from the dark bosom of which bubbled the sparkling pool of Siloam; while on the north, from amidst cliffs and crags covered scantily with dwarfed shrubbery, was Calvary—destined, a few months afterward, to tremble beneath the wonders and the horrors of the crucifixion. Beneath were seen the rock-clad streets which had been so often threaded by the hostile bands of Gentile conquerors, and so often drenched with the blood of prostrate Israel. Before that temple had Alexander paused to reverence the High Priest. There the Syrian chieftain, surrounded by his fierce soldiery, had designed to honor the Jehovah of his fallen foe; and there, too, had Pompey the Great, fresh from the gory field, bent his haughty spirit before the hallowed associations belonging to the spot.

Such are the imperfectly told and mere skeleton outlines of a theme which might have challenged the minstrelsy of a Homer, but which Mr. Willis, with singular apathy and negligence, has been content to cramp up within the space of some half dozen lines, in despite of its crowds of suggestive associations so legitimately appropriate to his subject.

The limits of a critique will not allow us thus to loi-

ter; we must pass on, therefore, to the "Baptism of Christ." Our attention is first arrested by these lines:

"Softly in  
Through a long aisle of willows, dim and cool,  
Stole the clear waters with their *muffled feet*."

We do not know, in the first place, what business the preposition *in* has where we find it, unless Mr. Willis designed, at the risk of grammar, to lengthen his line to the proper measure; but we are utterly confounded when our author comes to speak of the "*muffled feet*" of "clear waters." We are familiar with the expression, "foot of the mountain," or "foot of the hill," but we have jumped up for the first time that of the *feet of waters*—*muffled* at that. We are to suppose, however, that as we become acquainted with *Willisiana* perfumes, we are in like manner to learn *Willisiana* figures of speech, having already shaken hands with the "fingers of the dawn," and stumbled against the "muffled feet" of water.

A few lines after these we find that Mr. Willis, with the unrestrained privileges of a poet, ventures unhesitatingly and quite complacently to settle a Scriptural quarrel which has consumed hundreds of disputatious folios, and has puzzled learned theologians ever since the apostolic era; for, alluding to John the Baptist, we meet with the lines describing him as

"He stood breast-high amid the running stream,  
Baptizing as the Spirit gave him power."

It is by no means conceded by Christians that John actually went into the "running stream;" and although Mr. Willis's version may be sanctioned by the sectaries of the old Baptist denomination and the neophytes of the Campbellian school of divinity, we yet think that

the same would be denounced as heretical and unorthodox by the doctors of Geneva, of Oxford, and of the Sorbonne; while even Rome might fulminate her Papal bulls against the rash assumption.

We take the following from the poem of Hagar in the Wilderness :

“It was an hour of rest ; but Hagar found  
 No shelter in the wilderness, and on  
 She kept her weary way, until the boy  
 Hung down his head, and open'd his parch'd lips  
 For water ; but she could not give it him.  
 She *laid him down* beneath the sultry sky—  
 For it was better than the close, hot breath  
 Of the thick pines—and tried to comfort him ;  
 But he was sore athirst, and his blue eyes  
 Were dim and bloodshot, and he could not know  
 Why God denied him water in the wild.  
 She sat a little longer, and he grew  
 Ghastly and faint, as if he would have died.  
 It was too much for her. She *lifted him*  
 And bore him further on, and *laid his head*  
*Beneath the shadow of a desert shrub ;*  
 And shrouding up her face, she went away,  
 And *sat* to watch, where he could see her not,  
 Till he should die.”

Taken as a whole, we must pronounce this extract to be very awkward, very inexpressive, unideal, and commonplace. Besides the sluggish composition, there is exhibited a most woful deficiency in creativeness of imagination and artistic ingenuity. If we analyze minutely, it is to be feared that numerous minor blemishes may be shown. In the short space of eighteen lines the words *he* and *she* are made to occur eleven times ; as if the author's ideas could not be cut loose from his characters. During the same time Hagar rose up and *sat* down again twice. She *lifts* Ishmael up and *lays him down* twice. The last time she leaves

him to repose in a rather intangible and undefinable place, for Mr. Willis tells us she "laid his head *beneath the shadow of a desert shrub*." We should suppose that a *desert* or leafless *shrub* would afford but scanty shade, where even "*thick pines*" had been found too "close and hot."

"Fair were his locks. His snowy teeth divided  
A bow of Love, drawn with a scarlet thread."

These lines are found while describing one of the sons of Rizpah; but the reader is wiser than we claim to be, if he can unravel the meaning. How "snowy teeth" can *divide* a "bow of Love," we are wholly unable to divine; nor can we tell what earthly connection a "scarlet thread" can have with the figure.

The same poem furnishes another specimen of labyrinthal composition:

"He who wept with Mary—angels keeping  
Their unthank'd watch, are a foreshadowing  
Of what love is in heaven."

It would require, we think, a ball of our author's "scarlet thread" to wind through this foggy complicity of words at all understandingly.

We next get something of an ethereal adventure:

"O conscious heart!

\* \* \* \* \*

Number thy lamps of love, and tell me, now,  
*How many canst thou re-light at the stars,*  
And *blush* not at their burning!"

This is decidedly of the Swedenborgian cast—so refined and so spiritualized as to bully conjecture and frighten fancy. We would be pleased, moreover, if Mr. Willis will explain the aptness of the allusion, when, speaking of the *heart*, he asks if it will *blush*?



We decline, for the present, to notice "Lazarus and Mary," and must here close with our excerpts from the "Sacred Poems." We trust that the admirers of Mr. Willis may pardon to candor much that has seemed bitter and harsh in the foregoing review. We have been led to undertake the task less from any exalted opinion of our author's merits as a poet, than with a view to set before the reader, fairly and undisguisedly, the nature and quality of that poetry, which, in certain circles, has lifted Mr. Willis to that pedestal of favor which he so modestly acknowledges in his preface. It has been perceived, doubtless, that we do not concede that unhesitating and redoubtable supremacy to which our author has so flippantly laid claim. On the contrary, we must frankly declare that we consider Mr. Willis a very ordinary and indifferent writer of poetry, and can only wonder how he became so grossly possessed as to suppose that he could conjure with a true wizard's rod, or sweep the harp with a minstrel's grace and skill. But his poetry, such even as it is, has been too much the theme of undisputed laudation heretofore to make it altogether a condescension to scrutinize and test its merits. The admirers of Mr. Willis cannot expect to so venalize others of less susceptible, and, perhaps, less indulgent temperaments, as to extort universal concessions in favor of their poet's claims to the laurel wreath. It has been, all along, their good pleasure and his interest to cry up and extol these feeble offerings to the shrine of the Muses. Nobody has felt any pleasure, or taken any interest, in crying them down. But we think that this indifference has been carried quite far enough; while leniency may become culpable in view of Mr. Willis's vaulting ambition and excessive vanity, as well as of the extravagances of his admirers; and especially in view of the very serious

fact that American literature, and not its counterfeit votaries, has to pay the penalty of all this hapless amiability and indifference. For nothing is more certain than that by thus clogging the avenues to eminence with swarms of rampant, vain-glorious, elbowing pretenders, the doors are effectually closed against such as may really deserve to enter. Men of real talent disdain to resort to unworthy devices, or to join in unbecoming scuffles. Their mushroom competitors, on the contrary, are none too proud to stoop to any or all species of what may now be termed *Barnumania*, to attain a sickly and an ephemeral notoriety, and to pick up those scanty "present gains" to which Mr. Willis so candidly alludes in the preface to his book.

But we would not be understood as meaning to class Mr. Willis with that herd of despicable and disgusting scribblers who, despite their blathering and nauseous excrescences, have so subsidized penny presses as to crowd out, temporarily, all genuine literary votaries, and to infect the country with daily emissions of noisome nonsense, alike baneful to the encouragement of merit, and to the development of national literary resources. On the contrary, we desire to say that whatever contempt we may entertain for Mr. Willis's verses, we have yet seen much from his pen in a more appropriate and dignified department, that indicated, to our humble and imperfect judgment, talent of a very high and enviable order. But while entertaining a very high opinion of much of his prose writings, we are yet constrained to say, that our author would, to our judgment, have better consulted his self-respect by abstaining from all adventurings in the way of poetry.

We shall now dismiss Mr. Willis and his poems, for the present; promising, by-the-by, that we design to resume and complete, in some future number, our con-

templated task of examining his entire book of "sacred, passionate, and humorous" poems; and that although we have chosen to select him, first, as the expiatory offering to the offended literary genius of America, he shall not be the last.

## LONGFELLOW'S POEMS.\*

THESE poems, taken as a whole, form a book at once tasteless, tedious, and uninteresting. We had once some hopes of Mr. Longfellow as a poet, but his book has, unfortunately, spoiled all—has even spirited away the partiality we had entertained for some of his fugitive poems which chance threw in our way some years since, and which, now that they are thrown in company with the pithless train before us, have somehow lost their former hold. Familiarity, it is said, breeds contempt; and if the truth of the old proverb is doubted, we need only refer, in proof, some *lang syne* friend of this author, who, like ourself, may have been momentarily won to an *American* poet by some stray lines travelling the newspaper rounds,—we need only to refer such, we say, to the elaborated production now in our view; and if he can so tax his patience and his taste as to read through both volumes, we are quite sure that he will doubt no longer. We know that this is a very harsh sentence, but there is consolation in knowing also that malice is not the prompter. There are, on the contrary, strong reasons why we could have wished to admire and praise Mr. Longfel-

\* Poems. By Henry Wadsworth Longfellow. In two volumes. A new edition. Boston: Ticknor, Reed and Fields.



low's poetry. He is, in the first place, an American; and this, of itself, is a sufficient cause to induce regret that his book of poems has fallen so very far short of that standard which, in our judgment, must be fully compassed, if one would attain to even passing excellence in this hallowed art. It is greatly to be lamented, indeed, that our land should have been, thus far, so barren in this respect; and the mystery is, how to account for it? The harvest is plentiful—themes are not wanting—minstrelsy is challenged on all sides. The Indian history, wandering through the checkered fortunes of a thousand different tribes, abounds richly in the lore of tradition. The charms of nature, whether in the association of primeval forests, of scenery wild, majestic, and beautiful, of lakes and rivers overflowing with legendary interest, are every where displayed through a region extending from latitudes of unbroken winter to perennial spring and tropical suns. History teems with numberless events—thrilling, vivifying, enchanting—which are linked with poetic inspirations, and which belong more properly to verse than to prose. Romance and reality, both, dallyingly open their storied arms, and invite a foray on their luxuriant possessions. The wondrous tales of the Mexican Conquest—the lovely and touching story of Pocahontas—the landing of the Pilgrim Fathers—the wild legends of King Philip's heroism—the Salem witches—and many other incidents which might be named, all afford tangible material with which to weave a poet's chaplet. The poetry shines in every page of the old chroniclers' quaint books, from Bernal Diaz to Captain Smith and Cotton Mather. No pedantry, no tasteless detail can distort or smother the enlivening features of song, which gather shape and symmetry as we turn each succeeding leaf.

Here, then, is ample ground—ample inducement; but genius, so far, is the thing yet lacked. So far, indeed, as prose is concerned, master artists have been engaged in the work. Prescott, Irving, and Cooper have gone over the field, and illumined the path to poetical elicitation. Their works have clothed history with a fascination that the sons of song, whose province it more properly is to gather the romance of early time, may well envy, and has thrown all attempts at minstrelsy completely in the background. What Goethe and Schiller have done for Germany—what Camoens did for Portugal—what Moore has done for Ireland, and Walter Scott for Caledonia, these illustrious writers, though no poets, have accomplished for our country. All human beings, of whatever clime or tongue, long for some information about past times in their history, and are delighted with narratives which present pictures to the eye of the mind. To this may be traced the origin of ballad poetry and of metrical romance; and the man who possesses the genius to embellish the scanty but treasured memorials of early-day scenes and events, will always be highly esteemed in his own generation, and almost revered by a grateful posterity. To this enviable fame, no one in our country has yet preferred a successful suit. The materials languish in neglect, and have nearly gone to decay. Our rhymers are full of every other kind of poetry save that which alone is open to them. They are eternally inditing silly verses about every-day silly things—are lavishing pretty words in the sickly attempt to retouch and embellish Scriptural incidents—making sonnets about flowers, and cigar-girls, and pigeon-nests; or else, like Mr. Longfellow, are running a wild-goose chase to catch up insipid fragments of German or Swedish verse, for which the reading por-

tion of their own countrymen care about as much as they care for a translation of Merlin, or a reprint of Henry the Eighth's Defence of the Roman Church. And yet these venal pretenders are called *poets*, have admiring coteries, assume a puny arrogance of air and manner, and, now and then, flaunt over to England, that, after begging a reluctant moiety of praise from one or two writers anxious to court American favor, they may prop their petty productions by exhibiting a transatlantic puff.

"These are the themes that claim our plaudits now,  
These are the bards to whom the Muse must bow."

We may here quite aptly observe, in this connection, that among the aphorisms admitted by general consent, and inculcated by frequent repetition, there is none more famous than that compendious monition: *Gnothi seauton—be acquainted with thyself*. In general, we are far more willing to study others than to study ourselves; and hence it so frequently occurs that men, seduced by incautious self-admiration or by the flattery of weak friends, so often mistake their calling and their gifts, and blindly run counter to their destiny. Men of good common sense, and of unquestionable talent, are sometimes as apt as their inferiors to fall into this common error. On no other ground can we account for Mr. Longfellow's poetical adventurings. No one can doubt but that he is a man of practical sense, of very considerable talent, and of high and enviable attainments as a scholar; yet we see the strong evidences of nature's inconsistency in his condescension to father poems which might have *graced* the Dunciad, and which, for bad taste and tame composition, might stand a comparison with the shallowest specimens of the American school. Indeed, this gentleman, highly

accomplished though he may be in other respects, seems to be fatuitously possessed with the idea that whoever can make words rhyme, or arrange words in strange and fantastic measures by square and rule, may aspire to minstrelsy; that a man may become a poet by a simple act of volition. This same hallucination has, we suppose, given birth to the thousand and one scrambling and puny contestants who have ventured to attune their crazed, discordant lyres, and to set up for being recognized as *American* poets. The observer has only to witness, momentarily, this selfish, elbowing strife of frantic aspirants—each, like the hackmen who infest hotels and dépôts, crying and huckstering for the floating penny—to find out the secret of our deficiency as regards true poetical development. It thus stands disgustingly revealed to his vision, and, of course, excites most unmitigated contempt. No wonder that the muse should shrink from competition with the rampant and vulgar herd!

Now, we should have thought that Mr. Longfellow's ripe scholarship would have effectually unfolded to him the dangers and the miseries of poetasting in the absence of natural endowments, and have also convinced him that Horace uttered no untruth in declaring that a poet is born, not made. Indeed, we incline to think that the Roman bard, when inditing the following advice, was seeking to forewarn just such unwary aspirants as the author of whom we are speaking:

“Ludere qui nescit, campestribus abstinet armis,  
Indoctusque pilæ discive trochive quiescit,  
Ne spissæ risum tollant impunè coronæ:  
Qui nescit, versus tamen audit fingere! Quidni?  
Liber et ingenuus, præsertim census equestrem  
Summam nummorum, vitioque remotus ab omni.  
Tu nihil invitâ dices faciesve Minervâ;



Id tibi iudicium est, ea meus: si quid tamen olim  
Scripseris, in Metii descendat iudicis aures,  
Et patris, et nostras; nonumque prematur in annum.  
Membranis intus positis, delere licebit  
Quod non edideris; nescit vox missa reverti."

If Mr. Longfellow had been less learned than he is; if he had been gifted with no talent more likely to lift him to eminence; if, longing for fame, he could have addressed himself to nothing else as a mean of attainment than reckless poetical errandries; if, in fine, he had not opened a pathway to literary renown through the surer medium of classic and dignified prose, there would be more excuse for his presumption in throwing before a critical and discriminative public the rickety verses of the two volumes now under review, and we, in common with many others, might have been inclined to exercise more amiability and charity. As it is, we have before us the picture of an accomplished and astute Professor turned topsy-turvy by a poetic mania, and evidently laboring under the inflictions of a diseased and morbid ambition. The least censorious would be hard put up to find a palliative for this rhyming furor in one from whom better things might have been expected; for it requires no ordinary effort to suppress a feeling of contempt that tastes, otherwise so well adapted, should thus have been perverted to idolatrous oblations at the shrine of a mongrel deity, no more akin to the true goddess of verse than was the spurious creation of Prometheus to a real man. Mr. Longfellow may, we think, gratefully thank his stars if, after these feeble offerings to the muse, he shall escape the just vengeance which overtook this bold usurper of Jove's functions.

The first of these volumes opens with a prelude, as the author calls it, to a series of poems entitled "Voices

of the Night," and is not altogether unpleasant; indeed, we are not quite certain but that it is the prettiest composition to be found in the whole book. It certainly approximates much nearer than any other piece to real poetry, of which the following stanza is a partial evidence :

"The green trees whispered low and mild,  
It was a sound of joy !  
They were my playmates when a child,  
And rocked me in their arms so wild !  
Still they looked at me and smiled  
As if I were a boy."

We desire not to be hypercritical with our author, and we will say that the *sentiment* of the stanza is tinged with true poetry, though we must insist that the stanza itself is not so harmoniously worded as the idea might have warranted.

The author is represented as the hero; who, after giving us an introduction to himself, tells of how he wandered into the heart of a venerable forest, communed with the trees and the air, received a call to write poetry, and then winds up by informing us that he is restricted to writing only solemn lines. We can assure the reader that the restriction is not broken. The whole work is sicklied over with the snuffling cant of the conventicle, sometimes bordering on a sort of versified litany or *Te Deum*.

The first Voice is a Hymn to the Night, consisting of six stanzas, set to some particular metre with which we happen not to be acquainted. As a specimen, we quote the three last, italicizing what we consider especially flat and puny :

"From the cool *cisterns* of the midnight air,  
My spirit drank repose ;  
The fountain of perpetual peace flows there—  
*From those deep cisterns flows.*

"O holy Night! *from thee I learn to bear*  
*What man has borne before!*  
 Thou layest thy *finger* on the *lips* of care,  
 And they complain no more.

"Peace! peace! *Orestes-like* I breathe this prayer:  
 Descend with *broad-winged* flight,  
*The welcome, the thrice-prayed for, the most fair,*  
*The best-beloved Night!*"

Next in succession comes a Psalm of Life—dull and commonplace enough—which reminds us, as to measure, of the mystic chant of Meg Merrilies, beginning—

"Twist ye, twine ye, even so," &c. &c.

But the half-demented old gipsy indulges a strain at once wild, striking, and rhythmical; whereas, the Psalm is deficient in every respect, and we cite a stanza in proof:

"*Not enjoyment, and not sorrow,*  
 Is our destined end or way;  
 But to act, that each to-morrow  
 Find us farther than to-day."

The first line is as bad as it can be—not only bad taste, but bad grammar; for we have two nouns nominative most unmusically and incorrectly qualified with a negative each, and then connected by a conjunction. Poetry is not passable when, by disjoining the rhythm, it will not make good prose; and this being so, we cannot see how Mr. Longfellow will ever reconcile his two negatives.

We cannot pause to find fault with each of this series as they come; but the fifth in the succession is so strangely unique, so flimsy, and so peculiarly of the heteroclitical species, that, in justice both to the author and to our criticism, we feel bound to transcribe it entirely; only asking the reader to notice the *nonchalance* with which rhyme is taken up and then dropped,

tacked on or shaken off to suit the idea, evoked or discarded as caprice may suggest, or as invention may hold out. It is entitled, "Footsteps of Angels:"

"When the hours of Day are numbered,  
And the Voices of the Night  
Wake the better soul, that slumbered,  
To a holy, calm delight ;

"Ere the evening lamps are lighted,  
And, like phantoms grim and tall,  
Shadows from the fitful *firelight*  
Dance upon the parlor wall ;

"Then the forms of the departed  
Enter at the open door ;  
The beloved, the true-hearted,  
Come to visit me once more.

"He the young and strong, who cherished  
Noble longings for the strife,  
By the roadside fell and perished,  
Weary with the march of life !

"They, the holy ones and weakly,  
Who the cross and suffering bore,  
Folded their pale hands so meekly,  
Spake with us on earth no more !

"*And with them the Being Beauteous  
Who unto my youth was given,  
More than all things else to love me,  
And is now a saint in heaven.*

"With a slow and noiseless footstep  
Comes that messenger divine,  
Takes the vacant chair *beside me*,  
Lays her gentle hand in mine.

"And she sits and gazes at me  
With those deep and tender eyes,  
Like the stars, so still and *saint-like*,  
Looking downward from the skies.



"Uttered not, yet comprehended,  
Is the spirit's voiceless prayer,  
Soft rebukes, in blessing ended,  
Breathing from her lips of air.

"Oh, though oft depressed and lonely,  
All my fears are laid aside,  
If I but remember only  
Such as these have lived and died!"

Surely nothing more insipid, lifeless, unoriginal, was ever put off for poetry! What though a moiety of soft sentiment dwells in the idea—and Mr. Longfellow does not lack for *ideas*—how tantalizing it is to shroud and smother the same in a congealed mass of stale, shilly-shally rhymes!

The "Midnight Mass for the Dying Year," we must candidly pronounce to be really pitiful and drivelling. We give below the three first and the middle stanzas:

"Yes, the Year is growing old,  
And his eye is pale and bleared:  
Death, with frosty hand and cold,  
*Plucks the old man by the beard,*  
*Sorely—sorely!*

"The leaves are falling, falling,  
Solemnly and slow:  
*Caw! caw! the rooks are calling,*  
*It is a sound of woe,*  
*A sound of woe!*

"Through woods and mountain passes  
The winds, like anthems, roll;  
They are chanting solemn masses,  
Singing, '*Pray for this poor soul,*  
*Pray—pray!*'

\* \* \* \*

"To the crimson woods he saith,  
To the voice gentle and low  
Of the soft air, like a daughter's breath,  
'Pray do not mock me so!  
Do not laugh at me!'"

With this poem ends the first series. We come next to the "Earlier Poems;" and we will here venture to suggest that it is a pity the author's poetical aspirations could not have been satisfied at this point, and with these juvenescent achievements. His fame as a writer would then have been without a shade, and we should have been spared the present undertaking; for although there is, as might be naturally expected, some silly sentimentalizing among them, there is yet much to admire in these youthful offerings to the Muse. The following verses, taken from the poem of "Woods in Winter," possess much harmony and sweetness:

"When winter winds are piercing chill,  
And through the hawthorn blows the gale,  
With solemn feet I tread the hill,  
That overbrows the lonely vale.

\* \* \* \* \*

"Where, twisted round the barren oak,  
The summer vine in beauty clung,  
And summer winds the stillness broke,  
The crystal icicle is hung.

\* \* \* \* \*

"Alas! how changed from the fair scene,  
When birds sang out their mellow lay,  
And winds were soft and woods were green,  
And the song ceased not with the day."

These poems, as we are, indeed, frankly told in the preface, were written in the halcyon period of life—the bright and balmy years of youth. It is the season when the spirit of poetry stirs within every bosom. The humble ploughboy, even, feels the inspiration, though he may never attune the sentiment and bring it into being; and as he roams the flowery fields, and inhales the freshening breath of early spring, words of song float dreamingly through his untutored senses, infusing into his soul the healthful incense of bright hopes

to cheer the dull monotony of more real scenes. The same feeling pervades, to a much greater extent, the inmate of the academy or the college—who, imbibing daily the glowing imagery of the classic writers, and feasting the young mind on choice dainties culled from the rich garner of ancient and treasured lore, gives vent to inspiration by clothing opening life with the genial garb of poesy, mingling with its real scenes the lively impressions of excited fancy, which are only erased when remorseless time first lays its cold touch on the heart to awaken it to a sense of the world's drudgery. Hence, we suppose that there is scarcely one graduate out of every hundred who has not, at some golden moment of this shining period, blotted a lady's album or his own scrap-book with some fugitive, heartfelt offering to the Muse, which, even in long after years, will be found to own some sentiment allied with purer days, and to be possessed of some merit interwoven with the dawn of thought, and fresh from recesses of the heart which then knew not the world's corrosive blight. Most men, instinctively aware of these illusory temptations, stop with their early effusions, well knowing that, though almost every person may thus be impressed with poetic impulses, it is not decreed that every man shall be a poet born. Others, unwarily seduced by these guileful phantasmata, and foolishly persuading themselves that "the Land of Song" lies before them, swim along heedlessly with the current, until, all at once, the limpid waters of the fountain are swallowed up in that muddy abyss where so many frail barques, with their frailer pilots, have gone to wreck and ruin.

This, we gather from his "Prelude," has been the case with Mr. Longfellow, who, if not already stranded on these friendless shores, will, unless he shall take timely warning, ultimately perish among the wild and

desert wastes of this unfathomed ocean. And if, in the course of these further remarks, we shall draw from his after productions such specimens as may serve to bring him to his proper senses, or that shall wean him from these will-o'-the-wisp pursuits, and set him again on the open plain of his true element, we think his readers, yet remembering with pleasure the interesting pages of *Hyperion*, will thank us for the deed, no matter how roughly it may have been achieved.

To effect this, we must now pass on from these early-day offerings, and pause for a while amid the soulless pages of his "Translations." We are not sufficient scholars to undertake to scan the merits of his German, French, or Spanish renderings; and, as concerns these, therefore, must content ourselves with the single observation, that we never before met with a more barren and bleak foundation on which to begin the labor of translation, than we behold in the poems selected on this occasion. But there is one, purporting to have been rendered from the Anglo-Saxon, which evinces such genuine devotion to crazed drivelling, that we can scarcely credit the fact that the work is from a source of unquestioned erudition. The piece is entitled "The Grave," and to satisfy the reader that we have not been unjustly harsh, we shall quote, as amply sufficient to answer the purpose, the two first stanzas, premising that we are wholly unacquainted with the measure:

"For thee was a house built,  
Ere thou wast born;  
For thee was a mould meant,  
Ere thou of mother camest.  
But it is not made ready,  
Nor its depth measured,  
Nor is it seen  
How long it shall be.



Now I bring thee  
Where thou shalt be :  
Now I shall measure thee,  
And the mould afterwards.

“Thy house is not  
Highly timbered,  
It is *unhigh* and low ;  
When thou art therein,  
The heel-ways are low,  
The side-ways *unhigh*.  
The roof is built  
Thy breast full nigh,  
So thou shalt in mould  
Dwell full cold,  
Dimly and dark.”

We think the reader will agree with us that this can be called nothing else than gibberish—a sort of jabbering incantation, that makes one involuntarily couple with the most solemn of subjects a feeling of ridicule. But turning over some few pages, we find that such is not alone confined to the Anglo-Saxon minstrelsy; for Mr. Longfellow has eviscerated its mate from a relict of German poetry, attributed in the original to Klopstock. It is to be hoped, for the memory of Goethe and Schiller, that the American version is not literal; for, although the Italy of Horace and Virgil produced also a Bavius and Mævius, we yet hope that, in this enlightened age, the same soil has not produced the author of *such* strains along with the venerated fathers of German song. The title of the poem is “The Dead,” and we quote it entire, as follows:

“How they so softly rest,  
All, all the holy dead,  
Unto whose dwelling-place  
Now doth my soul draw near!

How they so softly rest  
All in their silent graves,  
Deep to corruption  
Slowly down—sinking!

“And they no longer weep,  
Here, where complaint is still!  
And they no longer feel,  
Here, where all gladness flies!  
And, by the cypresses  
Softly o’ershadowed,  
Until the Angel  
Calls them, they slumber.”

We are really no little astonished that this learned gentleman should thus audaciously venture to trifle and dally with the patience of partial readers. American literature will never be reared on a dignified and solid basis, if its votaries be too amiably indulged with such idle flippancies, and allowed thus, with impunity, to incorporate as poetry the merest balderdash, having not the faintest approach to either sense or harmony. And while we are willing to recognize Mr. Longfellow as, in many respects, a worthy representative of our dawning national literature, we, at the same time, must seriously protest against that increasing leniency which suffers him quietly to excavate or invent nonsense only to swell out a volume intended to be shelved as a specimen of American poetry.

The Translations are succeeded by the Ballads. That of the “Skeleton in Armor” is well conceived, and is not altogether without either merit or extrinsic interest. It is founded on the fact that, some years ago, a skeleton was disinterred near Newport, clad in broken and corroded armor. The author has connected this with an antiquated Danish structure near by, and framed quite a legend out of the materials thus afforded; which, however, we regret he did not choose

to tell otherwise than in verse. But the "Wreck of the Hesperus," although very tame and commonplace now and then, is yet, we think, much the best of the series, and partakes strongly of the genuine ballad tone throughout. To justify ourselves with both the author and the reader, we shall venture on quoting the entire poem, leaving clear thus every chance to confirm or to refute the correctness and justice of the judgment we have meted out to it :

- "It was the schooner Hesperus,  
That sailed the wintry sea ;  
And the skipper had taken his little daughter  
To bear him company.
- "Blue were her eyes as the fairy-flax,  
Her cheeks like the dawn of day,  
And her bosom white as the hawthorn buds  
That ope in the month of May.
- "The skipper he stood beside the helm,  
His pipe was in his mouth,  
And he watched how the veering flaw did blow  
The smoke now west, now south.
- "Then up and spake an old Sailòr,  
Had sailed the Spanish main :  
'I pray thee, put into yonder port,  
For I fear a hurricane.
- " 'Last night the moon had a golden ring,  
And to-night no moon we see !'  
The skipper, he blew a whiff from his pipe,  
And a scornful laugh laughed he.
- "Colder and louder blew the wind,  
A gale from the north-east ;  
The snow fell hissing in the brine,  
And the billows frothed like yeast.
- "Down came the storm, and smote amain  
The vessel in its strength ;  
She shuddered and paused, like a frightened steed,  
Then leaped her cable's length.

“ ‘Come hither! come hither! my little daughter,  
And do not tremble so;  
For I can weather the roughest gale  
That ever wind did blow.’

“ ‘He wrapped her warm in his seaman’s coat,  
Against the stinging blast;  
He cut a rope from a broken spar,  
And bound her to the mast.

“ ‘O father! I hear the church-bells ring;  
O say, what may it be?’  
‘Tis a fog-bell on a rock-bound coast!’  
And he steered for the open sea.

“ ‘O father! I hear the sound of guns;  
O say, what may it be?’  
‘Some ship in distress, that cannot live  
In such an angry sea!’

“ ‘O father! I see a gleaming light;  
O say, what may it be?’  
But the father answered never a word,  
A frozen corpse was he.

“ ‘Lashed to the helm, all stiff and stark,  
With his face turned to the skies,  
The lantern gleamed through the gleaming snow  
On his fixed and glassy eyes.

“ ‘Then the maiden clasped her hands and prayed  
That saved she might be;  
And she thought of Christ, who stilled the waves  
On the lake of Galilee.

‘ And fast through the midnight dark and drear  
Through the whistling sleet and snow,  
Like a sheeted ghost, the vessel swept  
Towards the reef of Norman’s Woe.

“ ‘And ever the fitful gusts between  
A sound came from the land;  
It was the sound of the trampling surf,  
On the rocks and the hard sea-sand.



"The breakers were right beneath her bows,  
She drifted a dreary wreck,  
And a whooping billow swept the crew,  
Like icicles, from her deck.

"She struck where the white and fleecy waves  
Looked soft as carded wool,  
But the cruel rocks, they gored her side,  
Like the horns of an angry bull.

"Her rattling shrouds, all sheathed in ice,  
With the masts went by the board;  
Like a vessel of glass, she stove and sank:  
Ho! ho! the breakers roared!

At daybreak, on the bleak sea-beach,  
A fisherman stood aghast,  
To see the form of a maiden fair,  
Lashed close to a drifting mast.

"The salt sea was frozen on her breast.  
The salt tears in her eyes;  
And he saw her hair, like the brown sea-weed,  
On the billows fall and rise.

"Such was the wreck of the Hesperus,  
In the midnight and the snow!  
Christ save us all from a wreck like this,  
On the reef of Norman's Woe!"

A few pages further on, Mr. Longfellow favors us with another and more distinctly marked specimen of that outlandish metre with which his book abounds. What earthly motive can prompt him to turn off as poetry such miserable, prolix, drawling stuff, we cannot imagine; nor are we, or, we suppose, any other mortal man, able to understand the bent of a taste which, although highly cultivated in some respects, can coolly go to work and disentomb from a Swedish literary charnel-ground so despicable a production as "The Children of the Lord's Supper." We venture the assertion that no ordinary reader can extract from it the

first novel or interesting thought, the first pretty expression, the first engaging sentiment, the first approach to any thing like poetry. It is tasteless, tedious, and trifling, from beginning to end—leaving the mind unimpressed but with disgust, or with wonder that such flippant jargon should ever have been revived.

The piece purports to be translated from the Swedish of some prelatical diatribist, whose mind, we should imagine, was about as barren of poetical impulse as the bleak hills and ungenial soil of his native land are of aught that contributes to the sustenance of life. We shall subjoin a few lines by way of example :

“Lo ! there entered then into the church the Reverend Teacher.  
 Father he hight and he was in the parish ; a Christianly plainness  
 Clothed from his head to his feet the old man of seventy winters.  
 Friendly was he to behold, and glad as the heralding angel  
 Walked he among the crowds, but still a contemplative grandeur  
 Lay on his forehead *as clear, as on moss-covered grave-stone a sunbeam.*  
 As in his inspiration (an evening twilight that faintly  
 Gleams in the human soul, even now, from the day of creation)  
 Th’ Artist, the friend of heaven, imagines Saint John when in  
 Patmos,  
 Gray, with his eyes uplifted to heaven, so seemed then the old man ;  
 Such was the glance of his eye, and such were his tresses of silver.  
*All the congregation arose in the pews that were numbered,*  
 But with a cordial look, to the right and the left hand, the old man,  
 Nodding all hail and peace, disappeared in the innermost chancel.”

Such is the stale, puling verballity which Mr. Longfellow adopts, and attempts to put upon his readers as poetry. We protest. It is by no means our disposition or intention to abet that silly furor which seems to possess many who, ascribing to this author all the qualities of a poet, witlessly admit as poetry that which is not even receivable as good prose. Without pausing, however, to dwell on the general imperfections of the lines we have quoted from this effusion, we shall only

notice those which the reader will have remarked are specially italicised. We should think Mr. Longfellow might be puzzled to reconcile a similitude of the kind above marked. If "contemplative grandeur" lay on the old preacher's head no *clearer* than a "sunbeam" on a "*moss-covered* gravestone," we are of the opinion that the sign was not very distinctly impressed; for, of all sheltering in the world, a thick cover of moss is the most impenetrable. This, however, is about on a par with the very tame description of the old man's entrance into the church, where the author is so hard run for the wherewith to fill out his line, that he obligingly acquaints us with the fact that the *pews* were "numbered," leaving it somewhat doubtful, by the way, whether we shall infer this mere *fact* from the expression, or whether he intends to convey that it was only that part of the "congregation" which sat in "numbered pews," that had the good manners to *rise* when the pastor entered.

If Mr. Longfellow does sincerely and really set any store by this flat portraiture of a village pastor, it is to be lamented that his taste is so low as not to have been frightened by the contrast with that most lovely and inimitable picture of the same personage found in Goldsmith's "Deserted Village." To enable the reader readily to mark the difference betwixt poetry and its counterfeit, we take the liberty, to save reference, of copying a few lines from that beautiful and admired poem :

"Near yonder copse, where once the garden smil'd,  
And still where many a garden flower grows wild;  
There, where a few torn shrubs the place disclose,  
The village preacher's modest mansion rose.  
A man he was to all the country dear,  
And passing rich with forty pounds a year;

Remote from towns he ran his godly race,  
 Nor e'er had chang'd, nor wished to change his place;  
 Unskilful he to fawn, or seek for power,  
 By doctrines fashioned to the varying hour;  
 Far other aims his heart had learned to prize,  
 More bent to raise the wretched than to rise.

\* \* \* \* \*

Thus to relieve the wretched was his pride,  
 And e'en his failings leaned to virtue's side;  
 But in his duty prompt at every call,  
 He watched, and wept, he pray'd and felt for all;  
 And, as a bird each fond endearment tries,  
 To tempt its new-fledged offspring to the skies,  
 He tried each art, reprov'd each dull delay,  
 Allured to brighter worlds, and led the way.

\* \* \* \* \*

At church, with meek and unaffected grace,  
 His looks adorn'd the venerable place;  
 Truth from his lips prevail'd with double sway,  
 And fools, who came to scoff, remained to pray.  
 The service pass'd, around the pious man,  
 With steady zeal, each honest rustic ran;  
 E'en children follow'd with endearing wile,  
 And pluck'd his gown to share the good man's smile.  
 His ready smile a parent's warmth express'd,  
 Their welfare pleased him, and their cares distressed;  
 To them his heart, his love, his griefs were given,  
 But all his serious thoughts had rest in heaven.  
 As some tall cliff that lifts its awful form,  
 Swells from the vale, and midway leaves the storm,  
 Though round its breast the rolling clouds are spread,  
 Eternal sunshine settles on its head."

We delight, as doubtless does the reader, to glide lingeringly along with soft, melodious cadences like the above, and while nestling in the music of smooth-flowing words, to float placidly down the limpid current of these genial and inspiring sentiments. We will not be cruel and unamiable enough to invite a too strict



comparison with Mr. Longfellow's unhappy attempt to draw a like picture.

What shall we say of Mr. Longfellow's poems on slavery? Here, too, he is treading in the footsteps of a most illustrious predecessor—putting forth a feeble effort to share the laurels of Montgomery. Perhaps, if we were mischievously inclined, we might here cite, alongside the modest name of our author, that of quite a *noted* competitor in the same race. It must not be forgotten, especially in sunny climes, that a lately *Americanized* writer, not content to rest on the achievements of his “Richelieu” and his “Gipsey,” would fain essay a rhyming tilt in the very *sentimental* tournament where Montgomery had flashed his maiden sword. Mr. Longfellow may, we think, well afford to congratulate himself that he is thus shielded by so redoubtable an exemplar in the lists of flimsy imitation.

The slavery poems are prefaced with a somewhat pompous, serene-tempered note, telling us that they were written while at sea; and that the first verses, addressed to Dr. Channing, who had just written his book about slavery, were no longer appropriate, since the death of that eminent gentleman. Being thus speciously charged, we were, quite naturally, as one may imagine, very considerably impressed as to the character of the production about to be read. The opening stanza, however, brought us, very unwelcomely, down several steps:

“The pages of thy book I read,  
And as I closed each one,  
My heart, responding, ever said,  
‘Servant of God, well done!’”

To say the least, this was coming at his subject in quite a point-blank, somewhat too unpoetical manner;

though we doubt not that its *benediction* would have been very encouraging to Dr. Channing, had he been alive to see and read it. There is besides in its tone a positiveness, an abruptness, which is always inelegant and ungraceful in metrical composition.

We have next quite a spiteful ebullition of rhythmical invective :

“Go on, untill this land revokes  
The old and *chartered* Lie,  
The *feudal* curse, whose whips and yokes  
Insult humanity.”

There is, if we do not greatly misjudge, something else than mere *poetical* sentiment involved in this fierce denunciation, to which some, who live in parts of “this land,” might quite reasonably object. Indeed, we are not so sure but that these lines to Dr. Channing might come within the meaning of certain laws enacted by States of this Union to prevent the circulation of certain mischievous documents. There is, at least, more of *feeling* in its tone and expression than prudence might warrant; and because Mr. Longfellow chooses to come among us as a votary of Apollo, we are not therefore estopped from guarding against the bad tendencies of his poetry. But we are loath to believe that any mischievous effect was intended; and though we might have been better pleased to have found his book *prudently* retrenched of this one poem, we desire not to be understood as endeavoring to affix any improper *motive* on so amiable a writer.

“The Slave’s Dream” is prettily conceived, but in view of so prolific and suggestive a subject, very indifferently and tamely executed. There is, however, much of genuine spirit in some of the stanzas, as, for instance, the following :

“Wide through the landscape of his dreams,  
The lordly Niger flowed;  
Beneath the palm-trees on the plain,  
Once more a king he strode,  
And heard the tinkling caravans  
Descend the mountain road.”

We cannot dwell on each poem of the series; but passing over much fanciful and silly jeremiading, we pause a moment or two to notice the one called “The Witnesses.” Montgomery, in his celebrated poem of the “West Indies,” has the following eloquent and stirring lines, in speaking of sunken slave-ships:

“When the loud trumpet of eternal doom  
Shall break the mortal bondage of the tomb;  
When with a mother’s pangs the expiring earth  
Shall bring her children forth to second birth;  
Then shall the sea’s mysterious caverns, spread  
With human relics, render up their dead:  
Though warm with life the heaving surges glow,  
Where’er the winds of heaven were wont to blow,  
In sevenfold phalanx shall the rallying hosts  
Of ocean slumberers join their wandering ghosts,  
Along the melancholy gulf that roars  
From Guinea to the Caribbean shores.  
Myriads of slaves, that perished on the way,  
From age to age, the shark’s appointed prey  
By livid plagues, by lingering tortures slain,  
Or headlong plunged alive into the main,  
Shall rise in judgment from their gloomy beds,  
To call down vengeance on the murderers’ heads.”

Now for Mr. Longfellow, as he essays to attune his lyre to similar lofty strains:

“In ocean’s wide domains,  
Half buried in the sands,  
Lie skeletons in chains,  
With shackled feet and hands.

"Beyond the fall of dews,  
 Deeper than plummet lies,  
*Float* ships, with all their crews,  
 No more to sink nor rise.

"There the black slave-ship *swims*,  
 Freightèd with human forms,  
 Whose fettered, fleshless limbs,  
 Are not the sport of storms.

"These are the bones of slaves;  
 They gleam from the abyss;  
 They cry from yawning waves,  
 'We are the witnesses!'"

We shall not sport with Mr. Longfellow or his admirers by invoking a comparison at this point; but we will say that he must possess a goodly share of courage or of self-esteem, to put forth *such* lines in the very face of those we have quoted from Montgomery, and from which, doubtless, the idea of "The Witnesses" was unguardedly borrowed. But, apart from comparison, we are seriously bothered to make sense of Mr. Longfellow's expressions and references; for who on earth can possibly understand how ships can "float" in an ethereal element, "beyond the fall of dews,"—"deeper than plummet lies," and where they can "no more *sink* nor *rise*." This, we think, all will conceive, is truly incomprehensible. It brings to mind an anecdote quite *apropos*, which may, perhaps, afford Mr. Longfellow some defence for his senseless paragraphs, on the score of precedent.

The great Edinburgh publisher, Constable, while reading over a manuscript poem by the "Ettrick Shepherd," which had been submitted to him, tartly observed, on reaching some obscure sentence, "Deil's in it; but I canna tell what you mean by this!" To which Hogg artlessly replied, "Hout, tout, man, that



is na strange, for I dinna ken, sometimes, what I mean mysel'!"

The poem of "Evangeline," in the second volume, is most excessively dull, stiff, and tiresome. We cannot say one word in its favor, and only wonder how a reader can beat his way through its long succession of prosing lines—lines much more apt to induce a comfortable *siesta* than to excite admiration. It is the lengthiest production of the two volumes, except perhaps the Spanish Student, and is composed to the same mumbling, unmeaning measure as "the Children of the Lord's Supper," while it is, if possible, even more barren of ideality. We cannot get our consent to transcribe any portion of it, lest we might by *such* repeated intrusions effectually worry out the reader's patience. Nor can we so reconcile it with our present undertaking as to dwell any longer on the second volume. It is of like sort with the first; perhaps, if there be any difference at all, even less creditable to the author.

We shall close our notice of Mr. Longfellow by remarking very briefly on the "Spanish Student." This, in our opinion, is a work of much intrinsic worth, and evinces talent of a high order. It is piquant, racy, full of spirit and vivacity, and contains much pretty composition—never rising, perhaps, into the powerful, yet never falling into the commonplace. The plot is quite artistically conceived, and the dramatic features are fully developed and well delineated. The character of Preciosa is most gracefully and handsomely drawn; and Crispa is not, in her department, less happily portrayed; while Victorian and his rival bring out the full contrast of right and wrong. It is to be regretted that our author was not content to rest his ambition with this achievement, and that he could not have reconciled it to himself to leave out of his book all

else but this single production—looking for a permanent fame more to those works by which he doubtless sets far less store. In fine, it is quite grateful and refreshing, after having found so much fault with Mr. Longfellow, though justly so, as we think, that we are enabled thus to bid him so kindly a farewell.

## SLAVERY AND THE SLAVE TRADE IN THE DISTRICT OF COLUMBIA.

DIGRESSION and irrelevancy in the discussion of political issues are characteristic of American writers and speakers. In Congress, especially, debate is rarely confined to the question under consideration. Collateral points even, which, in an assembly collected of wisdom, true taste would warn us to leave to inference mainly, fail to afford scope sufficiently ample. Matters totally disconnected with those at issue, are tortuously introduced to make up *the speech*. Hence, on a memorable occasion in the Senate, Mr. Webster found it necessary, in order to be properly understood, to commence his celebrated speech on Foot's Resolution, in reply to Mr. Haynes, by requesting the Secretary to read the resolution under discussion. Every body recollects the beautiful and appropriate figure of the mariner tossed about for days in the open seas without chart or compass, by which he illustrated the digression. This happened more than twenty years ago, when, it may be supposed, demagoguic influences were less common than at this day. And, indeed, if a speaker were to rise in his seat, now-a-days, and deliver a speech of twenty or thirty minutes length, confined solely to the topic of debate, without once calling to his aid irrele-

vant party issues, he would be stigmatized by reporters and lobby members as empty-headed and stupid. Discursive and inappropriate discussion has grown so common, that it may now be regarded as a settled precedent in Congressional economy.

No more cogent illustration of the truth and justice of the above general remarks may be cited, than the history of the debates in Congress on the Wilmot Proviso. A discussion of the power of Congress to prohibit or regulate slavery in the Territories of the United States has opened, in the course of the debate, the entire question of slavery, in all its points, and placed it in every conceivable attitude. Prominent among these irrelevant issues is one of very startling moment, not because of its complexity or obscurity, but because of the petty and contemptible jealousy which pervades both sections of the Union concerning its permanent adjustment. It will, of course, be inferred that we allude to that of the powers of Congress over slaves and the subject of slavery within the District of Columbia. On this point, all candid and discriminating minds must admit that, in discussing the question, the South has claimed more than is just and constitutional, and that the North has chosen an ill time and showed an improper and intolerant spirit in asserting and claiming what is doubtless just and constitutional. We cannot think that true patriotism or devotion to right and justice, have had any influence with the majority in the introduction or discussion of this subject. The governing influences, in both cases, we fear, have been of a different and far less meritorious character. On the side of the North it seems to be an ill-timed and unworthy attempt to wreak its prejudices upon an institution which, to say the least, is recognized, if not by name, at least *de facto*, and protected from invasion by



the federal constitution. On the part of the South it has been an unwary and hazardous attempt to make political capital at home of a question that embodies elements of the most dangerous nature, as regards the welfare of the Union, and to feed a flame, of which the calmest and most moderate politician may stand in dread. But it has been our pride and pleasure to observe that, in both sections of the Union, the conservative national whig party, as a body, has asserted and maintained a course of conduct unquestionably conservative and national. By moderation and dignity, by wisdom and true patriotism, the party has well sustained its ancient and honorable character.

In a like spirit, it is trusted, and with a mind beset on eliciting and expressing the truth, we now proceed to present, in a condensed and summary shape, our views and opinions. The true opinion, as we conceive, may be best arrived at, by first propounding, and then endeavoring to answer two leading questions; which, it is believed, embrace the entire matter of debate:

*1st. Has Congress the right, under the Constitution of the United States and deeds of cession from the States of Maryland and Virginia, to abolish slavery in the District of Columbia?*

*2d. Has Congress the right or power, under the same instruments, to pass laws of a Municipal or Police character concerning slaves, and to regulate or prohibit the slave traffic in said District?*

The first of these questions we do not at all hesitate to answer in the negative, and shall state briefly the reason and grounds on which that answer may be founded.

The abolition of slavery in any State, District, or Territory, within the limits of the United States, cannot be a matter of legislation, because it involves rights

of persons and of property which existed previously to the establishment of the government, and which not only constitute a principal element in the government of all, but are beyond the reach of legislative majorities. The legislature of a State ought not to decree the abolition of slavery. It is a body of limited powers, limited and defined, too, by an instrument which is formed by the Sovereign power in convention. This Sovereign power is the people. The legislature would have no more right or authority, unwarranted or unempowered by any previous form of assent from the people, to pass a law modifying the entire social system, than it would have to pass a law establishing or abolishing the Christian or Jewish form of worship, or the tenures of land, or the right of self-defence, or the right to bequeath or to inherit. These are all inherent properties and elements of government, and belong, under our system, to that class of powers and natural rights which are of none the less force and effect because partly unwritten and undefined in the original compact, and which are removed beyond the reach of Assemblies whose powers are limited and differently intended. Slavery, as it exists in the separate States, is equally entitled to be thus classed. The power, therefore, abruptly to abolish such an institution, cannot belong to a state or national legislature. It is essentially a prerogative of the sovereignty of the people themselves. It is in the province of a convention of that power from which emanates the constitutions both of federal and state governments. A contrary action or decision, vesting such power either in Congress as regards the District of Columbia, or in any of our State legislatures, would be to create a ruinous instability in property in both instances. It would be committing the most cherished and sacred of all rights, namely,

that of modifying the fundamental relationship of man to man, to a bare majority in Assemblies notoriously impulsive, and fluctuating in opinion, and always affected by local prejudices, and educational predilections. It would be placing individuals and entire communities at the mercy of partisans and fanatics, of opposite opinions, looking neither to justice nor reason nor to any thing beyond their own ambitious aims and violent purposes.

The second question must be regarded by all candid and dispassionate persons in a widely-different sense, inasmuch that it involves matters and issues of a very different character, and which are totally irrelevant to the first.

We hold that the powers of Congress, as concerns the subject of regulating slavery in the District of Columbia, are not at all analogous to the powers of the same body as applied to the Territories of the United States. Conceding the power in the one case does not and cannot necessarily embrace the other. In the first, the power is explicitly given, and is clearly derivable from all the sources where it ever belonged in law. In the last it is not to be found in any bond, compact, or conveyance of any description, and must be left to vague inference, and ever remain an obscure and vexed question.

The power to regulate the slave traffic in any or in all its branches, (save one, perhaps,) is a matter entirely of police, and belongs properly to legislative bodies in their capacity of police conservators. Even in our State legislatures a wide discretion is claimed and often exercised on this subject. But no one who takes the trouble to examine the Constitution of the United States, defining the special powers of Congress, or the deeds of cession from the States of Maryland

and Virginia, can justly or successfully question the unlimited discretion of Congress concerning all police regulations of slavery within the District of Columbia. The ten miles square is ceded not to the United States, as are the territories, but to the "Congress *and* Government of the United States." Where territories have been relinquished by any of the States, or acquired by purchase, the conveyance has ever been to the United States and for their "benefit," and, in the first instance, a parenthesis has always been made "including" the State which thus cedes. Territories acquired by conquest are conveyed by treaty to the Government of the United States, and thus become the property alike of all the communities which form that government. In none of these cessions is Congress a specified party. But, on the other hand, "the Congress" is a joint and specified party with the "Government of the United States" in the ownership of the District of Columbia. Now, as all must very well understand, the Government of the United States is made up of three co-ordinate branches or departments, each separately defined, and charged with separate and distinct functions. Of these, Congress is only the legislative power—subject in its action, within certain limits, to the check of both the Executive and Judicial departments. Yet "the Congress" is placed independent of, and as a joint and equal partner with the "Government of the United States" in the ownership of the District, and its majority is thus the "full and absolute" arbiter and conservator in all legislative functions, excepting only in so far as restrained by the provisos and stipulations of the original cession.

This proposition may impress some persons as being rather outré and metaphysical, if not erroneous. But we venture to conceive, that when measured by the



sense and words of the deed of cession from Maryland and by the same in the Constitution of the United States, the fair and legitimate inference will be in favor of its entire correctness. To this end we deem it advisable to transcribe the said deed of cession in full, as well as the language of the Constitution, concerning the powers of Congress in the District of Columbia :

“Be it enacted by the General Assembly of the State of Maryland : That all that part of the said territory called Columbia, (as described in the previous section,) which lies within the limits of this State, shall be, and the same is hereby acknowledged to be forever ceded and relinquished to the *Congress* and Government of the United States in *full and exclusive right* and *exclusive jurisdiction*, as well of soil as of persons residing or to reside thereon, pursuant to the tenor and effect of the eighth section of the first article of the Constitution of the United States : Provided that nothing herein contained shall be so construed as to vest in the United States any right of property in the soil, as to effect the rights of individuals therein, otherwise than the same shall be transferred by such individuals to the United States.”

The italics in the above are our own ; and now, we say, let that grant be considered as it may, the close and candid reasoner will be forced to infer that *Congress* is a separate and distinct party in the transaction, independent of its co-ordinate connection with the Government of the United States. The laws of Congressional majorities, as has been already intimated, are subject both to be vetoed and over-ruled by the other two departments, but these last are motionless until Congress shall first have acted. Being, therefore, an independent partner, as well as a partner by virtue of its co-ordinate connection with the Government of the United States, and being also the active and motive branch of the Government, we safely conclude that Congress, thus doubly interested, is on rather more than an equality with the Government of the

United States in the ownership of and jurisdiction over the District of Columbia, and is, in fact, the main arbiter and conservator of its destiny, civil and political. The difference between the two propositions thus submitted, is simply this, viz.: that slavery being in existence as a domestic institution within the ten miles square when Congress *accepted* the deed of cession, the relation between master and slave was distinctly recognized; Congress is, therefore, fairly estopped from *abolishing* the institution without previously expressed assent from the people, or from passing any law to destroy the right of the owner in the property of his slave, as acknowledged by the acceptance. But, in the second place, the power so to regulate those relations as to abridge or prohibit the general and indiscriminate traffic in slaves, within the limits of the District, being essentially a matter of police and legislation, and being clothed with "full and absolute" power in *legislating* for said District, Congress has the undoubted right to interfere so as to modify or abolish such traffic, and that too without any appeal to the will or wishes of the State Governments.

But, continuing our argument on the second proposition, the powers of Congress within the limits of the federal district are yet more explicitly defined than in the deed of cession above recited. The eighth section of the first article of the Constitution of the United States declares: "That Congress shall have power to exercise *exclusive* jurisdiction, in *all* cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States, and by the *acceptance* of Congress, become the seat of Government of the United States."

It must be admitted, we think, that this, literally, is a sweeping clause. It could not well have been

framed so as to convey larger powers. It is not even qualified. It can be limited only by bringing the powers thus sweepingly conferred to the test of established precedent, and natural or pre-existing rights. In the first instance, the deed is "full and absolute;" in the second, the *acceptance* carries along with it, under the supreme law of the land, "exclusive jurisdiction in all cases whatsoever." It is, indeed, a clause in which the most biased and fastidious stickler will find little to restrict the discretion of Congress in any matter of legislation; and that the slave traffic is a matter of legislation no intelligent reader will venture to deny. It has been claimed as such, certainly, by every government in which slavery has existed, ancient and modern. That of Rome, which gave to the master the power even of life and limb over his slave, always claimed and exercised exclusive control over the slave traffic. But it could not destroy, by simple legislative majority, the relation between master and slave, nor deprive the first of the labor and value of the last. Greece, as a Government, was anxious to rid the country of the slavery of the Helots, long before the body of the people were either prepared for, or willing to favor such riddance. The Government, therefore, claimed and exercised the undeniable right of all governments to abridge and prohibit the indiscriminate and unnatural traffic in the unfortunate beings whom she had enslaved, but it dared not, even in that early age, to infringe the right of property by destroying the relation itself. Russia, although a sombre and quiet despotism, where all legislative power is lodged with the Czar, would not venture, perhaps, by a peremptory ukase, to abolish serfdom within its limits; yet the slave traffic is entirely and most effectually prohibited, and the serfs go along with the land on which they

were born, and all their local and family attachments are sacredly preserved. The rash and unjust exercise of the first power, even by the Autocrat of Russia, would kindle a flame of resentment that would spread quickly from the Don to the Vistula, and an insulted people would bring down vengeance on even that august head, which, they believe, wears its crown by divine right and will. In the exercise of the last power, however, which is conformable both to justice and custom, no opposition was encountered, and a general acquiescence evidenced its popularity.

Under our Government of sovereign States and defined powers, Congress is entirely restricted from the exercise of this power, as concerns the States, but its power over the subject is "full and absolute," when applied to its "exclusive jurisdiction" over the District of Columbia. Neither Congress, nor State Legislatures, have the power to abolish slavery within their respective jurisdictions; but neither would be transcending their legitimate powers, as we humbly conceive, to pass such laws as could tend to prohibit indiscriminate traffic in slaves, without regard to number or social relations.

It must be borne in mind that slaves, both under the Federal and State Constitutions, as well as by the laws of each, are considered as being something more than mere property. That they *are* (*de facto*) property, no one will venture to gainsay; but they are a peculiar species of property. They are not at all regarded as irrational animals, or perishable live stock, as horses, or swine, or cattle. Some have been weak enough to urge and advocate this fallacious point, assuming, with singular hardihood and pertinacity, that which no person of ordinary information will sanction.

Slaves are regarded, both under the Constitution



and the laws, as *persons* also, and, in some sense, as members of organized society, though certainly and properly excluded from the dignity of citizenship, and from civil privileges. They are regularly apportioned, in accordance with the Federal Constitution, (in the true spirit of that great American system of protection and encouragement, which reaches and covers every species of labor, a system long upheld, and ardently cherished by the conservative Whig party of the Union,) for full representation in the Congress of the United States. They are entitled to protection, under the law, in life and limb, and are, individually, amenable for any infractions of the criminal code. They are shielded, by the law, from all cruel and unusual punishments at the hands of bad masters. In all these is exhibited very clearly the wide distinctions between negroes transferable, by sale, from one master to another, and all other kinds of property. This view of the subject is very ably and elaborately expounded by Mr. Madison in No. 54 of the "Federalist." He there expresses himself thus: "But we must deny the fact that slaves are considered merely as property, and in no respect whatever as persons. The true state of the case is, that they partake of both of these characters. . . . It is the character bestowed on them by the laws under which they live; and it will not be denied that these are the proper criterion. The slave is regarded by the law as a member of society, not as a part of the irrational creation; as a moral person, not as a mere article of property. The Federal Constitution, therefore, decides with great propriety on the case, when it views them in the mixed character of persons and of property."

This leaves a clear inference that an indiscriminate traffic in slaves is not to be regarded as beyond the

reach of legal interference and restriction, or as the same with that of horses and cattle. Congress may not possess the power to abolish slave dealing in all its branches, but it does not follow from this that the right to regulate and restrict the trade is prohibited. On the other hand, it is clearly within the legitimate province of Congress to do so, provided no legislative steps are taken to infringe the rights of resident owners in the property of their slaves. Congress, however, under the deeds of cession, is restricted, on this subject, only as regards resident owners. In the case of transient persons and traders, an arbitrary and perverse stretch of power might easily give a different aspect to these relations.

We feel assured that no one will deny the power of Congress to prohibit a banking company from New York or Delaware from establishing a bank within the limits of the District, either by positive enactment to that effect, or by refusing them a corporate existence. How, then, can it be denied that the same body has the same sort of power to interdict a slave dealer from Maryland or Virginia from carrying on his odious traffic within the same limits? Or how, under the Constitution and law, can Congress be denied the authority and right to interfere even so far as to regulate or restrict the trade as between resident owners themselves? It must be remembered that, unlike any other legislative assembly in the Union, Congress possesses here "full and absolute" power, and that its "jurisdiction" within the District limits is not only independent and unqualified, but "exclusive in all cases whatsoever." There is nothing in the Federal Constitution to prohibit the abolition of the *institution* by Congress, beyond the right of all citizens to claim protection for his property. Still less is there to be found any clause or

enactment denying the right to abridge and restrict the traffic. Neither are such prohibitory or restrictive clauses to be found in the deeds of cession, for in these, except only as relates to owners of "soil," the power of Congress is totally unlimited. It is even a question, in view of the broad and unqualified powers thus conferred on the Congress within the District limits both by the Constitution and the deeds, whether the right to prohibit the trade in *all* its features can be successfully confuted or denied? But thus far we do not pretend to go in this article.

But there are other views in which this subject may be argued. The ten miles square must be considered as belonging exclusively to the "Congress and Government of the United States," and not, as do the Territories, to the United States, over which Congress can only exercise trust powers. Against any improper or unequal, or discriminating, legislation by Congress as concerns the last, the States would have a right to protest. But as concerns legislation by Congress within the District, they are estopped. Resolutions, introduced before Congress, and intended to do away with the slave trade in the said District, are nothing to us of the South, in the capacity of States. We are unwilling to admit that our right of self-regulation can be thus endangered. We should as soon think of fearing the effects of the recent emancipation in the French West Indies: and we have about as much right to protest in the last case as in the first. On the contrary, we incline to believe that the interference by Congress with the slave trade in the District would result beneficially to the negro slave in the States. If the traffic was prohibited there, and those loathsome and disgusting depots of degraded and distressed humanity were effectually broken up within the District limits, it would

force the Southern slaveholding States to protect themselves by adopting similar laws, or else their soil would be flooded with an inundation of traders with their long, thick gangs of wretched creatures, hurried to market to avoid total losses. There is no telling what would be the consequences, if, in the event of such law passed by Congress, the slaveholding States should fail to adopt similar laws. The wanton cruelties and revolting barbarities of the British West Indies would speedily be re-enacted in a region where quiet, and content, and jolly cheerfulness prevail among white and black. The land would swarm with hordes of sullen and desperate creatures, torn suddenly from home and from family, and ready for any act of massacre, or for any kind of death. The whites, driven to fury by the fall of property, and by this repulsive innovation of their domestic arrangements, would soon grow discontented; the better and more polished portion would endeavor to leave the State; and anarchy more appalling than ever before exemplified, would then become the order of the day. But would the Southern States fail, in such event, to pass such laws? We hazard little in saying that they would not. They value their homes, their property, and their domestic association far too highly, thus unwarily to jeopardize the peace and security of all. In Mississippi, especially, opinion is even now rife for the passage of such laws; and had the emancipation question, lately submitted to the people of Kentucky, prevailed, a foreign negro (by which we mean those of other States and portions of the confederacy) had never set foot on our soil. It is a settled and cherished hope and desire with many in this State, that the slave traffic shall speedily terminate within its limits. Already has it been declared, by resolution of the Legislature, a public nuisance for



traders to expose their gangs of chained human creatures within view of the capitol of a sovereign State. The negroes now owned in Mississippi are, in general, thoroughly domesticated and happy as a race, attached to home and their masters, and they are the most cheerful and light-hearted of human beings. There is no State of the South where they are so comfortably provided for, so well treated, and so amply protected by law. It is thought, moreover, that the natural increase of those now here, will be more than sufficient to cultivate all our soil in a few years. Thus situated, we have little cause to invite or allure an influx of strangers and traders with their living herds. We have every thing to lose, and nothing to gain, by such a course of conduct. If, then, such action by Congress, within a jurisdiction exclusively its own, should induce a like action on our part; should influence a movement which would lead to consequences thus beneficial to our interests and prepossessions, and which would have the effect of strengthening slavery as a strictly domestic institution in the States, and relieve it, at the same time, of its most repulsive and unwelcome feature, we would have little cause for complaint. On the contrary, we might very consistently contribute toward bringing about so agreeable a state of things.

To recur now to our original propositions, we must reiterate the opinion, that while the right to emancipate lies with the people in their collective body in convention,—a right they inherit from sources of power older than the Constitution or the laws, and consequently of unassailable and impregnable integrity as well as of superior magnitude,—slaves, like all other kinds of property, are subject, nevertheless, to legislation for regulation. It would be surely and strangely anomalous if they were not, especially in that feature

which we have been more particularly employed in treating of.

Indeed, it may be further contended, that Congress has far more power, under the Constitution and deeds of cession, over the subject of slavery in the District of Columbia, than the Legislatures have in the various States. The States are sovereign, independent powers. The District of Columbia, on the other hand, is *not* sovereign or independent. Its inhabitants are isolated as regards their relations with the different States or sovereign communities which form the United States. They have no voice either in the election of the President, or of the Congress which govern them. They are passive subjects.

The people of a sovereign State possess privileges, and claim immunities which the people of the District do not enjoy. The State Legislatures are not arbitrary, irresponsible bodies. As regards the ten miles square, Congress is entirely an arbitrary, irresponsible body. Here, then, is a wide and vital difference, the grounds of which can neither be controverted nor denied.

But, more than all, the District of Columbia is the neutral ground betwixt the jarring and conflicting sections of the confederacy. As applied within its limits, the nature of the government undergoes a change, and presents a new face. Sovereign power, unchecked and undefined, is lodged elsewhere than in the *people*. An assembly composed of representatives from all other portions of the country, is its sole owner and supreme arbiter. Taxation and representation are here emphatically disallied. One can be imposed without the recognition or voice of the other; and the great principle which gave birth to American independence, and which has built up one of the most powerful empires under the sun, is thus signally repudiated and disre-

garded in a neutral territory, set apart for the residence of the supreme powers.

But, independently of this paradoxical fact, and being the neutral ground between North and South, every reason is afforded why all grounds of exception or offence to the opinions and prejudices of both sections should be peacefully removed. Congress can never abolish slavery in the District without abruptly transcending its legitimate powers. This should be satisfaction enough to us of the South.

The indiscriminate traffic in slaves, exposing them for sale in droves, without regard to family or attachments, and under the very eye of men unaccustomed to such sights, is odious in the extreme. It is a custom not only foreign to the tastes and prejudices of the Northern men, but is revolting as the most disgusting nuisance. It is a repulsive and unwelcome sight to all. It is generally regarded as an unseemly and objectionable spectacle on the neutral ground of a free republic, one-half of which, in the capacity of sovereign States, has abolished and repudiated all connection with the institution, excepting only in so far as they are constitutionally bound to protect the rights, in this respect, of the slaveholding States. It is a custom barely tolerated even in the States where slavery exists as a domestic institution. In many of these—Mississippi prominent among them—the introduction of slaves to vend in large droves is prohibited by statute, and made a penal offence. Why then should we claim and contend for more in the District, which belongs to Congress, than is generally practiced in our State Governments? Or why perversely deny a right to Congress so to regulate a traffic carried on within its “exclusive jurisdiction,” as to make the same less objectionable and odious to one-half of its body? It is a right be-

longing unquestionably to the "Congress and Government of the United States," and when they shall decide to act under that right, where will *we* find authority to prevent or successfully oppose them? We cannot call on the States, for they would be stopped at the outset, for want of formal and proper authority to interfere in a matter which both the Constitution and the law have removed beyond the reach of their control. No right of any sovereign State, no clause or portion of the great federal compact, would be infringed by such action on the part of Congress, within a territory owing allegiance to it alone. The States, then, would be left without the shadow of complaint or aggrievance. We could not appeal to the General Government, for, besides being the offending party itself—if it be offence—it can only move in such case by the terms of the law, and that law will afford us no pretext for the call. The army and navy will not be at our disposal, for we could not make out a constitutional case of aggrievance, or frame a proper exhibit to claim them at the hands of the Executive. If we should attempt to bully or to threaten, Congress might silence us at once by producing the Constitution and deeds of cession, and by challenging us to show any cause for questioning the supremacy of the General Government within its proper sphere and within its "exclusive jurisdiction." They might also plead our favorite doctrine of "hands off," or the rapidly-obtaining principle of "non-intervention." They would tell us to let them alone in their "absolute and exclusive jurisdiction," and then they in turn will forbear to interfere with ours. It will be time enough, we think, to resort to all these extreme remedies, and to others more extreme still, when Congress shall seek to disturb the institution in the States. Even then we are inclined to believe that remedies less harsh, less ex-



treme, and less repulsive than force of arms, may be found to allay the tumult, and afford redress. But in a case where we can establish no right, found no protest, and exhibit no authority to interfere; where, at the best, we would be so entirely excuseless and helpless, reason and mature reflection will tell us to pause and inquire before we take the final, fatal step. Otherwise we might chance to be placed in the perplexing situation of the American army before the broken gates of fallen Mexico, or in the more ridiculous attitude of the French army before those of Rome. We might be found eager to inquire into the cause of the tumult after all the mischief had been done; or, what is worse still, we might be unable, when questioned by the opposing party, to state the grounds or the nature of our offence.

## THE TRUE ISSUE BETWEEN PARTIES IN THE SOUTH: UNION OR DISUNION.\*

A CRISIS has been reached in our national affairs when it becomes us all, fellow-citizens, to reflect. The crisis is not, as heretofore, illusory and unreal, or confined merely within the narrow limits of party contrivances. The least sagacious may see that danger is imminent, and that the impulsiveness of some, the bad influence of others, and the selfish ambition of *many*, have wrought the public mind to a degree of excitement that bodes dire and permanent mischief to the integrity of the Government. It is not to be concealed that the issue so long and so earnestly deprecated by Washington and other fathers of the Republic, is about to be joined. That issue is, Union or Disunion. No subtlety of argument or speech, no specious array of words, no ingenious or metaphysical terms, can longer cover the designs of those who are promulging the pernicious doctrine of resistance to the constitutional acts of Congress, or, what is worse, abetting schemes

\* Union or Disunion; being a Review of the alleged causes of aggression at the recent action of Congress, together with some views concerning the proposed Southern Convention; and an examination of His Excellency's late Proclamation, as also of the doctrine of Secession. Addressed to the People of Mississippi. By a Southron. Columbus, Mississippi. 1850.

and movements which look, in their consequences, to nothing less than actual secession and dissolution of the Union. Mark the word, fellow-citizens. I do not mention secession without premeditation; nor do I charge it, as yet, on any class of persons hereabouts. I affix the odium to their schemes, and shall endeavor to explain the grounds of the charge more fully as we progress with the subject.

It is the purpose of these papers to review calmly and succinctly the doctrines set up by those who advocate resistance to the laws of Congress, recently passed, which admit California as a State of the Union, and which embrace the whole series of bills reported by the Senate Committee of Thirteen, of which Henry Clay was chairman; better known as the Compromise or Adjustment Bills. I purpose to review the whole grounds of what is termed the list of Southern grievances. I shall examine the various constitutional questions that have been raised, and the exposition of which has been depended on as the *reason* for extreme resorts. I shall inquire into the *necessity* for the proposed convocation of the Legislature by Governor Quitman, and also of the reassemblage of the Nashville Convention; and, lastly, I shall invite your attention to the *remedies* proposed by the advocates of resistance, viz.: secession or dissolution of the United States, and the formation of a Southern Confederacy. .

To accomplish fully this design, it is necessary to enter into some preliminary details of history, intimately connected with the subject, and which may not, therefore, prove unprofitable. It may serve, and is designed to show, the vicious tendency of party, and the countless evils which have flowed from the policy of the last administration.

The dangers which now threaten the peace of the

Union date their origin from the dark period of the Texan annexation. No matter what may be our obligations and relations with Texas now, it is undeniable that her introduction as a member of the United States has brought about the present dissatisfactions and distractions. Previously to 1845, parties had been divided mainly on internal questions, which the lapse of a few years would have settled peaceably and with satisfaction. The United States Bank had fallen beneath the ponderous arm of Andrew Jackson, and its advocates, after a manful struggle, had submitted quietly to its overthrow. Internal improvements had ceased to be a ground of difference, because the States had taken them in hand separately. The manifold and exaggerated evils which had been charged on the Protective System had been averted (if, indeed, they had ever existed) by the pacificatory influences of the Compromise Bill of 1833; and their partial revival in 1842 had been effectually checked by the law of 1846. Meanwhile, however, a new cause of difference had been surreptitiously introduced by the expiring administration of John Tyler. The recent developments made by this last-named personage and the Hon. Samuel Houston, leave no question as to the fraudulence which marked the incipency of the annexation project; the depth and consummate artifice of which, in connection with the fabled alliance between England and Texas, seem to have inveigled the strong perceptive powers of Mr. Calhoun himself. At least, he was called in to consummate the plan, and, although it was, on the part of Tyler, a last effort at popularity, and on the part of Houston a last chance of escape from Mexican reconquest, it is certain that *his* object was to guard, by its speedy annexation to the Union, an interest to which he was devoted, and which he believed was assailable by Eng-



land from that exposed quarter. The name and influence of Calhoun gave, thus, very high respectability to a project which might otherwise, under the auspices of Houston or Tyler, have fallen into speedy and meritorious disrepute. But the respectability thrown around it by Mr. Calhoun, though probably well intended by him, resulted most disastrously. No sooner was it made known that the distinguished Carolinian had asserted the claims of Texas, than the Democratic party, chagrined by their defeat in 1840, seized adroitly on the question, wrested it from the feeble grasp of John Tyler, and, under the pale and sicklied light of the "Lone Star," succeeded in their efforts for the Presidency. Mr. Polk was elected, Texas hastily and inconsiderately annexed, and it is a remarkable and not uninteresting fact, that just as the ancient party warfare had expired, the Democratic party simultaneously introduced a fire-brand of contention, which, it is feared, will yet prove the entering wedge to a dissolution of the Union. Scarcely had Texas been annexed, before, in consequence, the war with Mexico ensued. It was persisted in until California, New Mexico, and Texas were all brought into the Union, and in despite of the warning voice of many who had at first advocated the annexation of the latter; not believing that it would result in war and extensive conquest. California and New Mexico thus becoming the property of the United States, there was revived, as a natural consequence, the exciting issue which had previously grown out of the purchase of Louisiana, and which, in 1819, had well nigh caused a disruption of the Government. This issue, of course, was the extension or restriction of the slavery interest. For weal or for woe, therefore, the last administration is justly chargeable with the dangers and the evils which now, if not checked, so imminently

*portend* a bloody and devastating civil war. Its advocates should not shrink from the responsibility; else, having now seen and felt the disasters of their hasty policy, let them come forward, and aid to rescue the Union.

It will not be denied that the circumstances of the admission of California into the Union, with her present Constitution, were such as to engender much and serious jealousy on the part of the South. Her boundaries were too large and extended by more than half; and the Convention which framed her Constitution was gotten up with a haste and informality that argued a predetermined hostility to the peculiar Southern institution. But it is equally undeniable that the people of California possess the right, in a conventional capacity, to exclude slavery from their midst; and the exclusion having been made, it was a very serious question whether more mischief would not have ensued from the attempt to undo the act, in the face of our settled principles of popular right, than any which is likely to follow from a recognition of her claims. It is also a very delicate point to assume that Congress has the right to impose, under such circumstances, any other than its sole constitutional restriction on the terms of admission, which is a republican form of government. Such power has ever been strenuously denied by Southern statesmen, and the contrary assertion by the North in the case of Missouri in 1819, was then the great cause of contention and aggravation. The irregularities which marked the formation of the California Constitution were no legitimate bar to her admission, although certainly an objection. Precedent has settled that point against the advocates of resistance. Not to mention the recent cases of Michigan and of Texas, his-

tory has preserved the action of Congress on two memorable occasions, directly analogous. At the session of 1802 the territory comprising the present State of Ohio made application for admission into the Union. The application was referred to a Committee of the Senate, of which the celebrated Mr. Giles was chairman; and on the fourth day of March succeeding, it was reported, that although the requisitions of the law had not been strictly complied with in the formation of the Constitution, and the prescribed number of inhabitants nearly twenty thousand short, yet that it comported "with the *general interest* of the confederacy" to admit said State of Ohio into the Union, "on the same footing with the original States, in all respects whatsoever." (Amer. State Papers. Mis. vol. 1st, page 326.) It is worthy of remark that the term, "*general interest* of the confederacy," covers the whole ground of admission, and evinces, in a striking manner, the proclivity of the past generation of statesmen to submerge all factional issues in the common weal of the Union.

The principle of non-intervention was more clearly settled still at the session of 1808, on an application of the people inhabiting the Indiana Territory to establish a separate government west of the river Wabash. The Committee, in this instance, reported that, "being convinced it was the wish of a *large majority* of said Territory that such separation should take place, deem it *always* wise and just policy to grant to every portion of the people of the Union that form of government which is the object of their wishes, when not incompatible with the *Constitution* of the United States." (Amer. State Papers. Mis. vol. 1st, page 946.)

So much as concerns the admission of California at the recent session of Congress, and which some few discontented spirits, North and South, but mainly at

the South, propose to resist at every extremity. The facts of the case only have been intended to be given. With the Congressional speeches, and other evidences touching its merits, so extensively distributed among the people, it is not deemed necessary to burthen this treatise with lengthy detail.

With regard to the bill proposing an adjustment of pending difficulties with the State of Texas, it is only necessary to say, that the whole subject is now before those most deeply interested, and who alone are to be the judges of their right to accept or reject the proposition of Congress. If the people of Texas shall prove to be incapable of ascertaining their interests and immunities as citizens of the republic, it will then be full time, but not until such is fairly proven, for their *wise neighbors* to assume their administration and direction. It may be as well to add, that this is the view taken of this bill by both the Texan Senators, concurred with by the Hon. John M. Berrien, of Georgia, and the Hon. Jere Clemens, of Alabama. Their opinions are herewith subjoined :

“Nothing more has been done than to submit a proposition to Texas to settle a question of boundary, admitted on all hands to be full of difficulty. It is at her option to accept or reject the offer. *It will not do to argue that the amount of money will bias unfairly* the action of her Legislature. Put the question to any Alabamian—ask him if he thinks our State would sell her poorest county for all the treasures of the Union, and he would treat it as an *insult*. Are we to assume that we are better than others, or that Texas will accept what we would spurn? I was willing to trust Texas with the care of her own honor. I was willing also to trust to *her own knowledge of her rights*.”—*Clemen's letter of August 20th.*

“My reasons for voting for the bill to adjust the Texas boundary are as follows :

1st. As evincing a disposition to reconciliation which strengthens our cause.

2d. Because Texas, as a sovereign State, was the party entitled



to decide the question of disposing of her own territory. If any State had interfered in our (the Georgia) cession of 1802, I should have considered it an *intrusion*.

3d. Because the territory to be ceded would become *part of New Mexico*, and free from the Proviso.

4th. Principally because relieving Texas from her debt, it would develop her energies; and I consider a strong slaveholding State in that quarter as of incalculable importance, in itself, and *necessarily leading to the formation of others.*"—*Berrien's Macon letter.*

The third in the series of what is called the aggressive or anti-Southern measures of Congress, is the bill erecting Territorial Governments for the Territories of New Mexico and Utah. These bills, respectively, contain the following section:

*"Be it further enacted, That when admitted as a State, the said territory, or any portion of the same, shall be received into the Union with or without slavery, as their Constitution may prescribe at the time of their admission."*

This clause, were there no ulterior objects in the view of those who now so busy themselves in promulgating the doctrine of *secession*, or its equivalent, the principle of *sedition*, would, it might reasonably be inferred, have proven perfectly satisfactory to the entire South. There is, at least, no *restriction* as concerns slavery, and it is assuming what might not be safe for the South, to contend for its direct establishment by Congress in those Territories. If the influence of Texas shall be what Judge Berrien, in the latter clause above quoted, predicts it may be, there is almost a certainty that new slaveholding States may yet be formed out of this identical Territory. It is the mere cant of disunion to stickle on the point of non-protection by Congress to slave property in those Territories. The Constitution of the United States is now extended over those Territories. The Constitution expressly recognizes the in-

stitution of slavery; but it has been left for the *local authorities* always to regulate the municipal and police features. The doctrine of non-interference with slavery by Congress has been too long and too sedulously claimed by the South to stickle now on this point. It is taught in the celebrated Southern Address penned by Mr. Calhoun; and it is remarkable that this great statesman and friend of slavery never, in any speech or address, contends for what *many* now deem so very essential to Southern interests—viz.: protection *by Congress* for slave property in the Territories.

The bill most objected to by factious sectionalists in connection with the late Congressional measures of harmony and pacification, is that which abolishes the indiscriminate slave trade in the District of Columbia. It is pretended that this is not only aggressive on the rights of the South, but is palpably contrary to the Federal Constitution—so much so as to warrant hostilities to the Government on the part of the Southern States. Now if it can be shown that this bill is conformable to the terms of the Maryland deed of cession and to the Constitution of the United States, the last objection of course falls to the ground, and, as a necessary consequence, the first is removed; for it cannot be rationally contended that the South could be aggrieved by any course of action on the part of Congress which is proven to be in accordance with these two instruments.

The political situation of the District, in view of the strong popular features of our government, is certainly anomalous. As applied within its limits, the nature of the government undergoes an entire change, and presents a new face. Sovereign power, unchecked and undefined in the original compacts, is lodged elsewhere than in the *people*. An assembly, composed of persons

from all other portions of the Confederacy, is its sole owner and supreme arbiter. Taxation and representation are here emphatically disallied. One can be imposed without the recognition or voice of the other; and the great principle which gave birth to American Independence, and which has built up one of the most powerful empires under the sun, is thus signally repudiated and disregarded in a neutral territory set apart, in the very heart of the nation, for the residence of the supreme powers. Before progressing with this branch of the subject, however, I have thought it would be better, my fellow-citizens, to place before you the Maryland deed of cession, conveying this District to Congress, and which, now that the portion of its original limits belonging to Virginia has been retroceded to that State, is the only deed to which it becomes necessary to refer. Side by side with this deed, I shall place that clause of the Federal Constitution which accepts the same, and prescribes the powers of Congress over the District limits :

*"Be it enacted by the General Assembly of the State of Maryland, That all that part of the said territory called 'Columbia, which lies within the limits of this State, shall be, and the same is hereby acknowledged to be, for ever ceded and relinquished to the Congress and Government of the United States, in full and conclusive right and exclusive jurisdiction, as well of soil as of persons residing, or to reside thereon."—Deed from Maryland.*

*"Congress shall have power to exercise exclusive jurisdiction in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States, and by the acceptance of Congress, become the seat of government of the United States."—Const., art. 1st, section 8th.*

The only proviso affixed to this deed is, "that no right shall be vested in the United States as to *soil* owned by individuals otherwise than the same might be transferred by such individuals." The deed, any

candid reasoner must admit, is full and absolute, while the language of the Constitution is so explicit as to amount, literally, to an unqualified, sweeping clause. They both are so framed as to convey as large powers as it is possible to conceive that language can possibly convey. The deed parts with Maryland's right to the District "*for ever*;" the "acceptance" in the Constitution carries along with it, as the most biased and fastidious stickler will concede, "*exclusive jurisdiction in all cases whatsoever*."

It will be seen, moreover, that the *Congress* is a party to this deed in more ways than one. It is a party *independently*, because the cession is made to the Congress and Government of the United States. It is also a party by virtue of its co-ordinate connection *with* the government of the United States.

Congress is thus armed with double powers, and as to the ceded District may be said to be sovereign, except as concerns *pre-existing rights*, which no cession could transfer, and no Constitution, or acceptance of such cession, wrest from the people. I pause to say that among the pre-existing rights is that to *hold slaves*, and that Congress can have no power, consequently, to *abolish* slavery in the District, without the previously expressed assent of the people thereof. The power to *abolish* is not the function of a legislative body, deriving its power from instruments less ancient than the institution proposed to be abolished. It is a power which can belong only to those who own slaves, wherever found living under our present Federal Constitution.

But Congress being clothed with *absolute power*, and with *exclusive jurisdiction* over the District, must needs possess supreme *legislative* powers, from which there can be no appeal to the States, and with which



the last have *no right* to interfere. It cannot be denied that the slave traffic is legitimately the subject of legislation. The *traffic* is carried on under the law. The *right* of the master to the slave as property is older than the law, and can no more be assailed by the law than could the right to bequeath or inherit, or the right of self-defence, or the freedom of conscience; all of which are of none the less effect because partly unwritten and undefined. The *traffic* has always and every where been reckoned as among the municipal or police features of slavery. It has been so considered by every government, ancient and modern, under which slavery has existed. That of Rome, which gave to the master even the power of life and limb over his slave, always claimed to regulate the slave traffic; but it never claimed to destroy, by simple legislative majority, the *relation* between master and slave. Greece, as a government, was anxious to rid the country of the Helot slavery long before the body of the people were either prepared for, or willing to, such riddance. The government, therefore, claimed only the right of all governments, to abridge, and finally to prohibit the indiscriminate *traffic* in the beings who were enslaved; but it dared not, even in that early age, to infringe the right of property by abruptly destroying the *relation* between master and slave. Russia, although a simple despotism, where all legislative power even is lodged with the Czar, would not venture, by a peremptory ukase, to abolish serfdom within its imperial limits; yet the slave *traffic* is not only effectually regulated, but is so far prohibited as that serfs go along with the land on which they were born, and thus they are termed slaves of soil. The rash and unwarranted *abolition* of serfdom, even by the sceptred Autocrat of all the Russias, would kindle a flame of resentment that would

quickly spread from the Don to the Vistula. In abolishing the *traffic*, which was an exercise of power conformable both to justice and to custom, not the slightest opposition was encountered.

Under our government of sovereign States and limited powers, this power is not dormant. All power, of whatever description, *must* reside somewhere. There are powers which belong to the body of the people, to the States in their separate capacity and in constitutional convention, and to Congress. We have assumed that the *will* of the people is alone the arbiter of slavery as an institution, and they alone may abolish slavery, whether in the States or in the District. The regulation of the slave *trade* is a matter of legislation, both in the States and in the District. As to the States, their own Legislatures may and do exercise this power. Within the District, the Congress is *absolute*, and unquestionably possesses a similar power. Nor have the States any right to object, or any ground of aggrievance, unless they are aggrieved by the terms of the Constitution. Congress has exercised this power recently by breaking up slave depots and markets within the District, by prohibiting the introduction of slaves within the District for purposes of traffic or sale, and by declaring such slaves to be free in all such cases. How shall we go about resisting, in a constitutional and peaceful way I mean, the exercise of an unquestionably existing power by a body "*absolute*" by the deed of cession within the ceded limits, and declared to possess "*exclusive jurisdiction in all cases whatsoever*," by the very Constitution under which our Government exists, "over such District as may, by cession of particular States, and the acceptance of Congress, become the seat of government of the United States?" The evil, if evil there be, must be traced to the terms of

the original cession, and not charged against the body acting under that cession; must be imputed to the Constitution, and not to the body which exercises a power conferred by that Constitution. But more of this anon.

I have thus, fellow-citizens of the State of Mississippi, gone through with a brief but concise summary of all those measures of Congress which have been denounced as intending mischief on the Southern institution, and against which it is proposed, in some quarters, to direct the artillery of public indignation, if not of Southern chivalry. I have said nothing about the fugitive slave bill, because it seems to be generally satisfactory. But I purpose, in this number, to call your attention to the remedies intended, or by some agitated, to cure these alleged evils, and the modes of resistance so boldly promulged by the disaffected. This was the more immediate object of this essay, than discussion of the merits of the bills, at which I have but glanced.

These remedies are, I regret to say, all of a violent character; the resistance proposed looks alone to disorganization and dismemberment of the Union. The ultra doctrines of the South Carolina Ordinance, so signally buried in 1833 by the Proclamation of General Jackson, have been disentombed, and are held forth as the nucleus around which discontent and sedition may rally. There is, I fear, this great difference between the period of their inglorious sepulture, and their resurrection in this day. Then, their pernicious influences were mainly confined to South Carolina; now, their baneful exhalations are far more widely disseminated. The day may be near at hand when an Andrew Jackson might prove a blessing to the integrity of the Republic.

It is proposed to call a Convention of the Southern States; and to aid this project, doubtless, our belligerent Governor has convoked the Legislature for the eighteenth day of next month. The objects which such Convention is intended to subserve cannot be of a very peaceful tendency, if we are to judge by the proclamations of His Excellency and the Governor of Georgia, the only authentic evidences of a design to resist the Government, so far given to the world. If the objects of the Convention be peaceful, I, for one, see no use in its assemblage. It is, under any circumstances, a questionable resort, and certainly a dangerous mode of collecting public sentiment. It is not only a dangerous, but very unreliable mode, where such wide and fundamental differences of opinion exist, as surely do exist among the Southern people at this time. A convention can only answer a good purpose when there is a great coincidence of opinion and unity of sentiment as to the aggressions of the General Government. When I go into the advocacy of a convention which is to deliberate concerning alleged grievances from Congress, I must be prepared for revolution. I must be convinced that there has been not only deep and serious innovation on Southern rights, but a palpable and dangerous violation of the Constitution. If I feel that there has been nothing of either of these, I prefer to seek a remedy through the ballot-box, or by remonstrance, or in some way authorized by the Constitution. If the advocates of a Southern Convention design to direct its action against the laws of the land, or the Government of the United States, I oppose such Convention entirely. If it is hinted, as some wish us to believe, to deliberate concerning prospective or anticipated grievances, concerning the mere "shadow of coming events," or for adopting an ultimatum against



merely fancied wrongs, supposed to be intended by the North, I must still say I cannot concur in the policy. "Sufficient unto the day is the evil thereof," especially when that evil is only suspected; when it exists only in the imaginations of those who seem to delight in discord, and who hold pertinaciously to the dogma, that "no good can come out of Nazareth." I am of those who see no adequate cause for assembling a Convention to resist what has been done; and I assuredly am not so enlightened as to the future, that I shall advocate preparation against mere phantom encroachments. I am not haunted by any distempered visions. I see no "grinning horrors" in the unrobed future of the Republic, as it stands. If my fancy ever wanders into the dreamy future, I am always greeted by smiling visions of the brightness, and glory, and greatness of the Union—beaming with the mild radiance of its original purity, and gathering increased lustre as it sweeps onward to its high and holy destiny. Sometimes, I confess, the gorgeous hues of the picture are momentarily darkened by the ghastly intrusions of spectred fanatics, or of Gorgon-like agitators, such as emanate from Tammany Hall or Nashville Conventions; but ere long the brightness reappears—familiar faces, like those of Washington and Franklin, peer forth from the transient obscurity, and the "black spirits," frowned into nothingness, vanish as mists from before the rising sun.

A convention, fellow-citizens, whose members are composed of citizens of particular States only, elected without the "consent of Congress," and which looks to the formation of any agreement or compact among themselves, is an unconstitutional and a seditious assemblage. The late Nashville Convention assembled without the consent of Congress, expressly to form some agreement among the Southern States. Its address

was directed alone to the people of the Southern States, and its action was submitted alone to Southern States. It is now proposed to sanction a re-assemblage of this Convention, or to call into being another looking to the same objects. It is useless for the advocates of a Convention to attempt a disguise of their objects. If their object was peaceful deliberation merely, they would resort to a peaceful, constitutional method of deliberation. Their design is to attempt to unite the South in some scheme of resistance against the recent laws of Congress. The pretext to deliberate with a view to *future* aggressions, is too senseless and too shallow to dupe even the least sagacious.

Now, fellow-citizens, if we are a law-abiding people, let us look well to our sworn duty, which is to support the Constitution. Let us see what that Constitution says, and act accordingly. If, on the contrary, we are ripe for anarchy and revolution, let us face the matter, and so declare. The Constitution declares, in the tenth section of its first article, that "no *State* shall enter into any treaty, *alliance*, or *confederation*." This language is clearly unmistakable, and asserts a *prohibition* on the separate States against uniting in any *confederation*. But there is still a more direct inhibition against assemblages convened for the purposes above stated. The following clause declares explicitly, that "no State shall, *without the consent of Congress*, enter into any *agreement or compact* with another *State*, or with a *foreign power*."

If words have any meaning, fellow-citizens, that meaning is apparent in the above clauses of the Federal Constitution. I construe them to assert that any body convened on the basis and in the manner of the late Nashville Convention, or which may be convened, at any time, without the consent of Congress, for any pur-

pose of resistance or deliberation hostile to the action of Congress, is an unconstitutional assemblage. If the objects of the Convention were those of remonstrance, then the people, or their delegates, might peacefully and legally assemble. But a Convention, formed of citizens of different States, and which advises a course of action on the part of those States inimical to the Government, or hostile to the laws of the land, comes within the prohibition of the Constitution. For these reasons I have said that when I shall advocate a Convention to be thus formed, and that shall be intended to band the South against the action of Congress, I shall be prepared for revolution. Of course, the people have a right, when the majority so decide, to revolutionize and form a new Government; and when the present Government fails of its intents and purposes, and when all constitutional remedies shall have been exhausted in attempting to obtain proper redress against palpable aggressions, no one will deny that *then* will be the time to choose between evils, and to count the value of the Union. But when the ship springs a leak, it is faint-hearted and treacherous to desert until all the pumps have been thoroughly tried and exhausted. Let me say, by way of illustration, that if, in defiance of all that has occurred, and of law and justice, Congress should assume to abolish the institution of slavery in the District, and shall pass a law to abolish the slave trade within, or as between the slaveholding States, the infraction will then be sufficiently palpable and violent, in my judgment, to warrant violent remedies and harsh resorts. But disunion, even then, would be a useless remedy; for thereby we lose not only the power to enforce proper redress, but we lose every thing. Secession and dissolution are the very worst of all evils, as I shall presently demonstrate. We let slip the ad-

vantages we now hold over our enemies, by resorting to a disruption of the Government. It is just what they wish, and are attempting to drive us into. So long as the Constitution lasts, our rights as regards slavery, being recognized therein, are safe, and our opponents are obliged to abide and submit. If they violate the Constitution by palpable aggression, why should we be made the sufferers? If we break up the Union, the Constitution falls, the Government is destroyed, our enemies are released from all obligations, while *we* are thus cast loose from the only bond that links us with the civilized and enlightened world. We thus lose every advantage and gain no compensation. We weaken our cause by shearing it of its great arm of strength. If the Constitution is violated by them, they are the disunionists, and they should be stigmatized as such. If there is to be a collision, let us of the South at least be in the right. If the majority of Congress should violate the Constitution as I have suggested, let us wait to see if the *body* of the North upholds and endorses the violation and aggression. Let us see if their constituents sanction their treachery. This, in my opinion, is by no means probable. The great States of New York and Pennsylvania are bound to us by the golden cords of self-interest. Their principal wealth, and the greatness of their two mammoth emporiums, are derived from traffic with the South. The New England States are worth nothing to them in comparison with the Southern States. Cut them off from the Southern trade, and they are well aware that they must diminish ruinously. The severance of the Union, and the consequent anarchy and disruption of trade, would bankrupt the cities of New York and Philadelphia, and every cotton merchant would become insolvent. Three months of hostilities between the States



would shock their business in a manner that ten years of peace could not repair. The body of the people, therefore, knowing these things—and they are too sagacious not to know them—would be far from countenancing a course of action by Congress that would lead to disunion. They would make common cause with the South; the offending Congress would be displaced at the term's end, these two States will have been gained on the side of the Union, and the Constitution and Government have been saved.

But suppose that, immediately on the heels of the aggression, we appeal only to a Convention of Southern States. Do we not rashly and unnecessarily jeopard the dearest of causes by closing the doors to all other States? We lose every thing without even attempting to gain any thing. We lose the protecting influence of the great bond of Union, without even opening a door for its salvation.

Such, fellow-citizens, is the course of conduct, and its consequences, advised by the advocates of the Convention, and by the disciples of Mr. Rhett, and their seditious coadjutors in Mississippi. I, for one, repudiate any such doctrine, and abjure all such tutelage. I desire to matriculate at some other than the fountain of South Carolina *Rhett-oric*.

But can a Convention of Southern States be gotten up which will fairly and truly reflect and represent public sentiment at the South? I think not. In the first place, the party distinctions of Whig and Democrat are by no means obliterated. It is true that a slight coalescence has been formed among a few. Some of the Whigs, tempted by ambition, perhaps, or betrayed by ardent temperaments into an over-wrought zeal, or misled by erroneous calculations, have been incautious enough to join the seditious wing of the great

Democratic party. But the body of the Whig party remain firm to their integrity, and have openly repudiated all such leaders. Some Democrats have united with them in the vain attempt to form a *par excellence* Southern party; but the body of the Democrats are by no means committed to an ultra platform. They adhere to party and to party men, and refuse any direct coalition on what is termed the Southern question. They are, it is true, more equally divided on the Union and Disunion question, than are the Whigs; and, perhaps, as *some* of their leaders claim, the majority is for resistance. But the issue has not been fairly joined and put; and, as yet, they manifest every desire to *cohere* as a party, on the ancient and popular principle, that "a bird in the hand is worth two in the bush." When their hot-headed leaders approach them on the subject of coalition, the answer, if we may judge by actions, has always been in the language of Scripture: "Go thy way; at a more *convenient* season" we will join you. At the same time, the body of the Whigs, in every instance where a coalition has been attempted, have protested against their absorption, and consequent extinction as a conservative, national party. With a conservative and genuine Whig administration, which, so far, has stood true to Southern rights, because true to the Constitution, and which, relying on the cheerful support of its friends in both sections, is endeavoring to impress conservative and national Whig principles on the Government, and to illustrate their beautiful influence—the Whigs seem unwilling to surrender their tried friends, ere yet they have offended. Nor do they seem at all inclined to the belief that they will offend. Millard Fillmore and Daniel Webster were never so popular at the South as now, and their friends evince every reliance in their administration.

Parties, then, are still jealous, still disunited, and there is little prospect of a coalition. An effort, therefore, to elect delegates to a Southern Convention, would most likely take a party turn, and become a party matter. This would beget bad blood at the South, let success perch on whichever side it might; the moral, or, to speak more properly, the *sectional* influence of the Convention would be completely baffled, and the result would be lamentable divisions and enmities among Southern friends. This, my fellow-citizens, is of itself a sufficient argument with me to oppose all attempts at the Southern Convention.

But this is not all. I fear that, after assembling, such Convention would rather be found lending itself to the *manufacture* of public sentiment, than conforming to the *will* of those they would be said to represent. That will could not now be ascertained. The advocates of the Convention are either unwilling or afraid to avow their objects, or to meet the issue of Union or Disunion—of resistance or obedience to the laws of the country. They could not sustain, before the people, an effort to call a Convention merely to deliberate, or to adopt an *ultimatum* against aggressions *not yet committed*. The people will claim the privilege of deliberating, and then send delegates from their midst to *act*. You cannot get the Conventionists to join the issue of war or peace, resistance or non-resistance, by their proposed Convention. Their addresses, their resolutions, even their speeches in primary assemblies, all point to resistance, and cover a settled purpose of dissolution. But they disclaim violence and repudiate disunion, where the naked issue is made. A Convention, therefore, is impracticable, and would not reflect truly and entirely public sentiment. The question of a Convention may then be thus resolved: If intended only to deliberate,

it is not their province; if to adopt an ultimatum against airy aggressions, it is unnecessary; if to decide the issue of resistance or obedience, or of Union or Disunion, no such issue will have been made, and the South is not united.

In the preceding sections, fellow-citizens, I have forborne to amplify. I have left much to your own reflection, and preferred to do so. I have mainly endeavored to mark out the true issues, believing you to be fully capable of filling up the detail of argument, and of following the same to its just and legitimate conclusion. My only remaining task now is to examine, briefly but minutely, the other proposed remedy of *secession*—a remedy which I shall endeavor to dissect of its countless enormities and mischiefs, and to demonstrate to be worse than the *alleged* disease. I am happy to find, however, that this course is suggested by very few—is disavowed by many even of the most disaffected, and is dreaded by nearly all.

Has a State of this Union the constitutional right to secede “without the consent of Congress,” or the other States? This question unfolds and opens the whole issue. I shall argue it in a somewhat novel point of view, and invoke your unbiased attention. It will be for you to say, after going candidly through with the argument, whether I sustain my premises.

Let me ask first, however, what is the nature of our bond of union? Is it the creature of the State Governments, or the people of the States united? Is it an agreement merely, a league between the different States, a copartnership of separate and distinct Governments, or a regularly “ordained and established *Constitution*,” the declared *supreme* law of the entire confederacy? If I understand history, fellow-citizens,



it surely is none of the three first; and if the instrument, or the bond, does not utter a *lie* on its very face, and in its *every* feature and provision, it is unquestionably and undeniably the last. Its very birth and origin show that I am correct in point of fact. The old confederation was, indeed, a league—a mere compact between the different States. Under that the General Government was, in very truth, a mere *creature* of the State Governments. It could not move nor act without their consent. It could not lay or collect taxes and duties, nor form treaties, nor declare war, nor make peace, without the consent of the State Governments. It was imbecile and inefficient, a mockery and a nullity, and was soon found to be so. A Convention was called to revise and re-adapt its deficiencies. That Convention met in 1787, in Philadelphia, and their first resolution declared that a “*national* government ought to be established, consisting of a *supreme* Legislature, Judiciary, and Executive.” Afterwards, this resolution was so altered that, instead of “*national*,” it was termed the “government of the *United* States,” which was the name and style of the confederacy. The present Government was framed and sent out for ratification, *not* by the States or the State Legislatures, but by the *people* of the States in convention assembled. It depended for adoption on *consent* and *agreement*; but the moment that it was adopted, its declarations were fairly confirmed. These declarations are not of a *league* or *compact* between the States, but of a “Constitution of the *people* of the *United* States.” The language of the preamble is not to *agree* or *stipulate*, but to “ordain and establish.” It declares itself to be, together with the “laws and treaties made in pursuance thereof, the *supreme* law of the land.” And, as if to give unmistakable emphasis to this declaration, it adds, “any

thing in the Constitution or laws of any *State* to the contrary notwithstanding." (Art. 6th.) This Constitution can lay and collect taxes, impose duties, make treaties, declare war, and conclude peace, independently of the consent of the States. It even lays injunctions on the State Governments, does not receive such *from* them. It tells them they "*shall not*" make treaties, form alliances or confederations, coin money, pass any bill impairing the obligation of contracts, engage in any war, enter into compact with another State or with a foreign power, keep any regular troops, maintain any navies. (Art. 1st, section 10th.) This surely is not the language of a *creature*, a mere *agent* of the various State Governments! Washington tells us "that it is utterly impracticable, in the Federal Government of these States, to secure all the rights of *independent sovereignty* to each, and yet provide for the safety and interest of all." (Letter to Congress on the Constitution.) In his Farewell Address he speaks of the "*unity* of government which constitutes us *one people*," and of our *indissoluble* community of interest as *one* nation.

Mr. Madison, the highest authority, in his letter to the editor of the North American Review, speaks of the Constitution of the United States "as constituting the people thereof *one* people for certain purposes," and as an instrument which cannot be altered or annulled *at the will of the States* individually. The fifteenth number of the Federalist, the acknowledged authoritative commentary on and exposition of the Constitution, penned by Mr. Madison, speaks of "sovereignty in the Union, and complete independence in the States, as utterly repugnant and irreconcilable." But I have a more pertinent, if not a higher authority still. Mr. Calhoun, in his celebrated letter to Governor Hamilton, uses this significant language: "In the execution of the

delegated powers, *the Union* is no longer regarded in reference *to its parts*, but as forming *one great community*, to be governed by a *common will*."

I cannot pause, fellow-citizens, to multiply authorities. I have adduced sufficient, both from the Constitution itself, and from the legacies of its expounders and fathers, to show to you the grounds of my opinion that it is not a mere *league* or *compact* between the States, but the *supreme* law of the land; and that, too, independently of *State* constitutions or *State* laws. These are facts of history. I tell them to you honestly and truthfully. If they are unwelcome, they are none the less true; and I cannot be held responsible for taking the Constitution for that which I know it to be. And I may here add, *en passant*, such being the history and interpretation of the Constitution, the doctrine of *secession* finds but little *constitutional* sustenance.

But I may be pointed to the Virginia Resolutions of 1798, passed to denounce the odious Alien and Sedition laws of the Adams administration. Being penned by Mr. Madison, I cheerfully defer to their authority as he interprets them—not as Nullifiers and Secessionists interpret them. They are held by these last to assert the *complete* independence of the States of the General Government, and as covering the right of secession by the States at their own option. If *this* be their meaning, I reject them as dangerous and Jacobinical. But do they really look to the right of secession, or to the resistance of the laws of Congress by hostile States? I confess that they wear such appearance, and would seem to contemplate such end. But the drawer of them protests against such interpretation, and the endorsers of them, at the period of their promulgation, deny and disclaim any such inferences. Mr. Madison, in the letter above referred to, speaking of the interpre-

tation thus put on his resolution, says: "It may often happen that *erroneous* constructions, *not anticipated*, may not be sufficiently guarded against in the language used." And again he says: "That the Legislature could *not* have intended to sanction such doctrine (viz., nullification and secession), is to be inferred from the debate in the House of Delegates, and from the address of the two Houses to their constituents." Mr. Monroe, then Governor of Virginia, in his message relating to these resolutions, and referring to the action of the Legislature on passing them, says, "they looked to a change in public *opinion*, which ought to be free; not to measures of violence, discord, and *disunion*, which they (the people and Legislature) abhor." The mover of the resolutions himself declares, "The appeal is to public opinion; if that is against us, we *must yield*." And in later years, a distinguished disciple of the Virginia school of politics declared in the United States Senate, when alluding to these resolutions, "The whole object of the proceedings was, by the *peaceful* force of public opinion, to obtain a *speedy* repeal of the acts in question, not to *oppose* or *arrest* their execution while they remained unrepealed." (Speech of Hon. Wm. C. Rives, in 1833.) And as evidence in support of this interpretation, I may here add, that even while the resolutions were yet before the people of Virginia, denouncing the laws of Congress as "*unconstitutional* and *dangerous*," the Sedition Act was cruelly enforced against a popular favorite and protégé of Mr. Jefferson, in their very capital, and by one of the most brutal and despotic judges that has ever disgraced the ermine since the days of Jeffreys. (State Trials, case of Callendar, page 688.) So much, then, for these resolutions; and being thus interpreted, I willingly receive them as high authority.



But I propose to examine this principle of *secession* still more minutely, and to measure it by the terms of the Constitution. I must say, in all sincerity, that it seems to me to be an absurd proposition to contend that a solemn bond of government and of union, deliberately formed, should contain, as one of its essential features, an element of its own destruction and dissolution. A Constitution designed and framed, among other purposes, to destroy itself, and dissolve the Union which was the prime object of its ordination and establishment, could have been formed by none but madmen or Utopians, and could never have received the solemn adoption of an intelligent and sagacious people. Suppose a State could secede from the Union at its own time, and by its own option! To what would it subject the rest of the States, but to the despotism of a fraction, more intolerable and arrogant than any oligarchy that ever existed. Well may Mr. Madison exclaim, as in the letter above referred to, "that nothing can better demonstrate the inadmissibility of such a doctrine, than that it puts it in the power of the *smallest fraction* to give the law and even the Constitution to the remaining States;" each claiming, as he says, "an *equal* right to expound it, and to insist on the exposition." Such a bedlam of discord would never before have existed to curse a nation, if such had been the end of the present Constitution, and the design of those who framed it. Greatly would I have preferred a re-establishment of the old Articles of Confederation, to such a Constitution as these secessionists would have ours to be.

I know it is contended that certain States, as Virginia, New York, and Rhode Island, claimed and reserved the right of seceding, at their own pleasure, in their several ratifications. I do not so read or under-

stand the record. They would not have been admitted with any such baneful and disorganizing reservation, but would have been kept out, and treated as aliens, as they deserved. A pretty government would it be, where a meagre minority of the people could claim the supremacy of dictators to the majority. I would prefer, vastly, the sway of a Czar or a Sultan; because, under either of the last, we might, at least, have peace and permanence—not an Italy of the middle ages, cut up by parties of Guelphs and Ghibellines. Such a government, fellow-citizens, as secessionists would force on you, was never designed by a Convention over which Washington presided, and in which Madison, and Jay, and Hamilton were principal actors.

But did these States make any such reservation? Let us go to the record, and take it by its plain, common-sense, usually received meaning. I find in the Virginia form of ratification, that the delegates decided that they “do, in the name, and on behalf of the *people of Virginia*, declare and make known that the powers granted under the Constitution, *being derived* from the *people of the United States*, may be resumed by *them* whensoever the same shall be perverted to their injury or oppression.” There is no sophisticating this declaration. The “people of Virginia” declare that “the powers granted under the Constitution are *derived* from the *people of the United States*.” That is clear. Virginia, then, does not claim supremacy, or even individuality, except in so far as her people assent to the Constitution. These powers, “when perverted,” may be “*resumed*,” not by the people of Virginia *alone*, but by the “people of the United States.” That is clear also. But further on they declare that they (the delegates) “do *ratify* the Constitution,” not on the *condition*, but “with a *hope* of amendments.” This

language needs no explanation. It is the language of unqualified assent. It is language which looks to any thing else than the *right* of States to *secede* when they please from the Union. (Elliott's Deb., vol. 2, p. 476.) But New York presents a more direct refutation of this doctrine. I find their form of ratification to read thus: "That the Constitution under consideration ought to be ratified by this Convention, upon condition nevertheless," &c.; among which conditions, I may say, there is not one which includes secession. Indeed, on the day following, a delegate moved to strike out the words "*upon condition*," and insert, "*in full confidence*;" and the motion prevailed. But, as if to clinch the whole, a Mr. Lansing did move, when the final question was put, to adopt a resolution, "that there should be reserved to the State of New York a right to *withdraw* from the Union, after a certain number of years, unless the amendments proposed should be previously submitted to a general Convention." The motion was promptly and largely defeated. This, fellow-citizens, would not seem to contemplate secession. (Elliott's Debates, vol. 1, p. 357.)

Can a State then secede? I can think of but one way, by which, under the Constitution, this can be done, and that is by "consent of Congress." Even this is not very clear, but it is, I think, fairly debatable. In reflecting on the subject, and investigating its merits, I was arrested by the following language, found in the latter clause of the tenth section of the first article of the Constitution: "No State shall, *without the consent of Congress*, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State, or *with a foreign power*," &c. I have been unable to find any contemporaneous explanation or elucidation of this latter member

of the clause. Indeed, Mr. Justice Story, in his admirable Commentaries on the Constitution, remarks, as concerns this expression: "What precise distinction is here intended to be taken between *treaties*, *agreements*, and *compacts*, is nowhere explained, and has never, as yet, been the subject of any exact judicial or other examination." (Com., p. 512.)

If, however, a State, by consent of Congress, may lay a "duty of tonnage," the same power, by the same construction, and under like consent, may form a "compact with a *foreign power*." This certainly *implies* a separation of that State from the United States Government, in some shape; for by the Constitution, the President and two-thirds of the Senate *alone* can form a compact or treaty with foreign powers. This, fellow-citizens, is the only cloak which I can find in the Constitution to cover the doctrine of secession. It is very remote, and implied at the best. It is a bone, however, at which its advocates may gnaw, with entire safety to the country and the Union. If it covers their doctrine, it at least carries along a previous condition which would be fatal to their theory. It demands a suberviency to the will of the great aggrieving power, which is "Congress." They may make the most of it.

I have other questions to submit, and I have done. What would be the situation of a seceded State, in the presence of a powerful and overshadowing empire like that of the United States—admitting, that is, that a State may peaceably secede? Why, in the first place, such State would be an alien, a foreign power, having no sympathy or interest with the other States, and no claims upon them. Would such State be freer or more independent, thus dissevered? Would she be allowed to exercise a single attribute or privilege of sovereignty, when we chose to interfere? And would we not inter-



fere if she formed any alliance with a foreign power, prejudicial to our interests, or that might be dangerous to our liberties? She would, in fact, be a mere miserable dependency, constantly watched and suspected by an all-powerful neighbor, liable, at any time, to be overrun and subdued, or blockaded and invested on all sides, so that she could not move. An interior State, like Arkansas, for instance, which has not even an outlet or seaport of her own, would be especially ruined in case of secession. If the seceding State, as is more likely, was South Carolina, a squadron of United States cruisers would never be out of sight of Charleston harbor. It most likely would be so ordered that no vessel could enter that port without first being searched by a man-of-war boat. The very thought of such disruption is repulsive—the picture absolutely humiliating. But a State being once severed from the protection of the Constitution must look out against unpleasant consequences. She is then under that law only which makes the weaker power the very creature of the greater. May such spectacle never disgrace our shores!

This brings me to the close of my task. I have thought that I see enough of danger in the dissemination of certain doctrines from high and influential sources, to authorize this intrusion. This, at least, is my apology, if I shall encounter uncharitable criticism or rebuke. The good and wholesome doctrine of true State rights has, in my opinion, been perverted to subserve unlawful ends. I have been raised to venerate the true State rights doctrine, but not those which lead to disruption, and unconstitutional resistance of the laws of the General Government. It is still my pride to claim affinity with that enlightened school of politicians; but when they so torture the teachings of the early fathers as to ally with disunionists and secession-

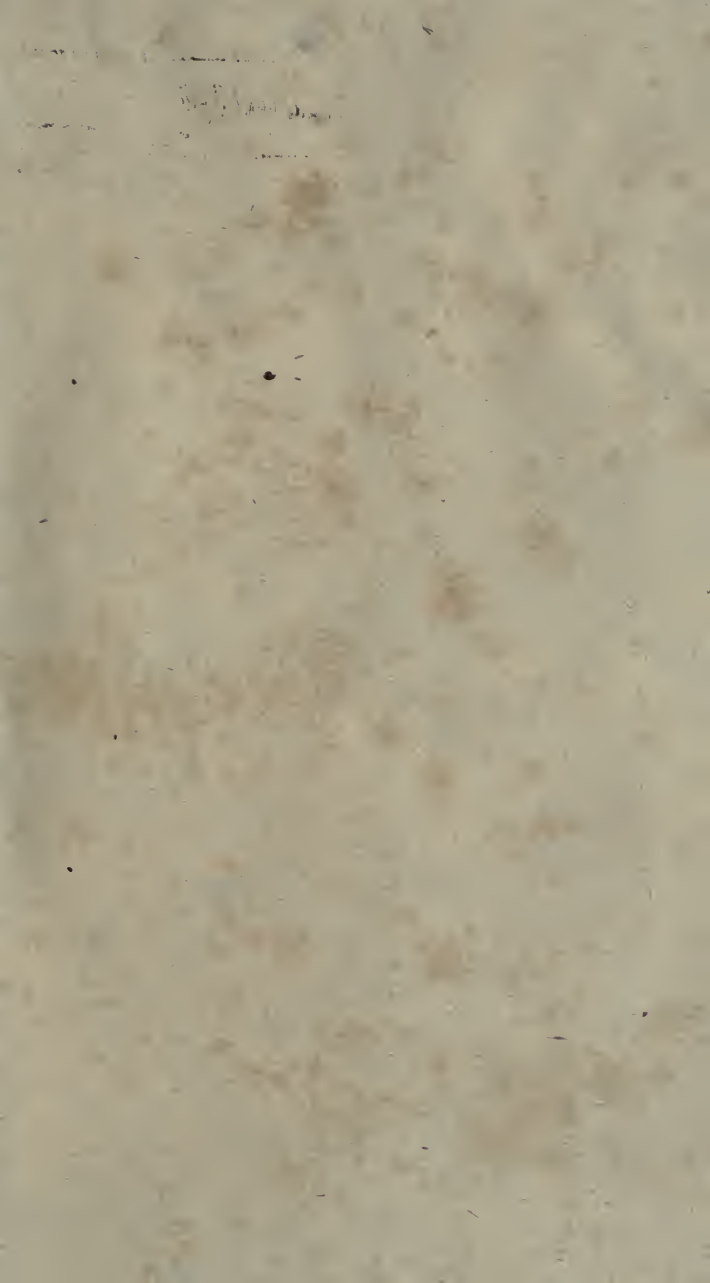
ists, under a counterfeit of their ancient sacred banner, I part company with them. I believe that it is right to inculcate the doctrine of State sovereignty as assumed by Madison, and to guard against the tendencies to consolidation. I confess, however, that I see but little danger of the last. I never felt such danger, except during the iron dominion of Gen. Jackson. Such danger is more to be feared in connection with resolute and over-popular men, the pampered pets of a powerful party, than in any undue tendencies of the Government.

In conclusion, fellow-citizens, I am unable to see any thing so ominous in the present aspect of our national affairs as will authorize us to go about banding and marshalling the States for a crusade against the action of the General Government—especially under the lead of such Hotspurs as I perceive to be at the head of the resistance forces. I am a Southerner by birth and education—a Southerner in pride of land and in feeling—a Southerner in interest, and by every tie which can bind mortal man to his native clime; and I shall abide the destinies of the South. But I venerate the Federal Constitution. *I love the Union.* I love the first for its beneficent protecting influence and power; I love the last for its proud and glorious association with all that is dear to an American heart.









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